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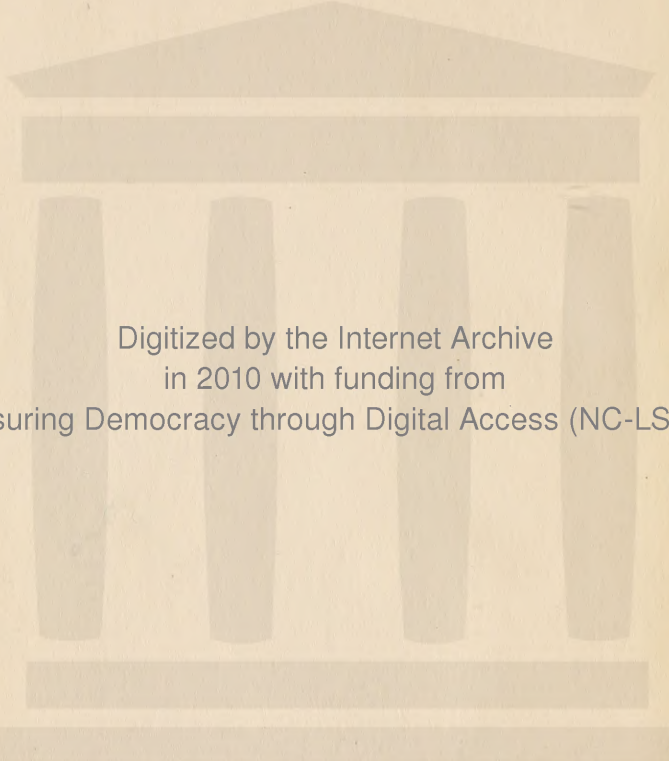
1900

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LAWS AND RESOLUTIONS

OF THE

STATE OF NORTH CAROLINA

PASSED BY THE

GENERAL ASSEMBLY

AT ITS

ADJOURNED SESSION

1900

BEGUN AND HELD IN THE CITY OF RALEIGH, TUESDAY THE
TWELFTH OF JUNE, NINETEEN HUNDRED

Published by Authority

RALEIGH, N. C.

EDWARDS & BROUGHTON AND E. M. UZZELL, STATE PRINTERS

Presses of Edwards & Broughton

1900

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LAWS AND RESOLUTIONS

STATE OF NORTH CAROLINA

GENERAL ASSEMBLY

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1900

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OFFICIAL REGISTER

FOR THE YEAR 1900.

STATE GOVERNMENT.

DANIEL L. RUSSELL	New Hanover County	Governor.
CHARLES A. REYNOLDS	Forsyth County	Lieutenant-Governor.
CYRUS THOMPSON	Onslow County	Secretary of State.
HAL W. AYER	Wake County	Auditor.
WILLIAM H. WORTH	Wake County	Treasurer.
CHARLES H. MEBANE	Catawba County	Superintendent Pub. Instruction
ZEB. V. WALSER	Davidson County	Attorney-General.
J. R. YOUNG	Vance County	Insurance Commissioner.
B. S. ROYSTER	Granville County	Adjutant-General.
SAMUEL L. PATTERSON	Caldwell County	Commissioner of Agriculture.
T. K. BRUNER	Wake County	Secretary of Agriculture.
EDWARDS & BROUGHTON, and E. M. UZZELL	Wake County	Public Printers.
C. C. CHERRY	Edgecombe County	Keeper of Capitol.
M. O. SHERRILL	Catawba County	Librarian.
B. R. LACY	Wake County	Com. of Labor and Printing.
BAYLUS CADE	Franklin County	Private Secretary to Governor.
MRS. F. W. SAWYER	Brunswick County	Executive Clerk.
JOHN B. KOONCE	Jones County	Clerk to Secretary of State.
DAVID H. SENTER	Harnett County	Clerk to Secretary of State.
R. C. RIVERS	Wake County	Clerk to Auditor.
C. L. SIMS	Cabarrus County	Clerk to Auditor.
J. W. DENMARK	Wake County	Clerk to Treasurer.
E. O. COLE	Moore County	Clerk to Treasurer.
S. L. CROWDER	Warren County	Teller.
W. H. MARTIN	Wake County	Clerk for Institutions.
W. E. FAISON	Wake County	Clerk to Com. Labor and Printing
W. N. MEBANE	Alamance County	Clerk to Supt. Public Instruction.
W. W. WILLSON	Wake County	Clerk to Insurance Commissioner.

THE JUDICIARY.

SUPREME COURT.

NAME.	RESIDENCE.
W. T. FAIRCLOTH, Chief Justice	Goldsboro.
WALTER CLARK, Associate Justice	Raleigh.
D. M. FURCHES, Associate Justice	Statesville.
WALTER A. MONTGOMERY, Associate Justice,	Raleigh.
ROBERT M. DOUGLAS, Associate Justice	Greensboro.
THOMAS S. KENAN, Clerk	Raleigh.
J. L. SEAWELL, Office Clerk	Raleigh.
ROBERT H. BRADLEY, Marshal and Librarian	Raleigh.
RALPH P. BUXTON, Reporter	Fayetteville.

JUDICIAL OFFICERS.

SUPERIOR COURT JUDGES.

NAME.	DISTRICT.	RESIDENCE.
GEORGE H. BROWN, JR	First	Washington.
HENRY R. BRYAN	Second	New Bern.
E. W. TIMBERLAKE	Third	Louisburg.
W. S. O'B. ROBINSON	Fourth	Greensboro.
T. J. SHAW	Fifth	Greensboro.
O. H. ALLEN	Sixth	Kinston.
T. A. MCNEILL	Seventh	Lumberton.
A. I. COBLE	Eighth	Statesville.
H. R. STARBUCK	Ninth	Winston.
J. W. BOWMAN	Tenth	Bakersville.
W. A. HOKE	Eleventh	Lincolnton.
FREDERICK MOORE	Twelfth	Asheville.

SOLICITORS.

G. W. WARD	First	Elizabeth City.
W. E. DANIEL	Second	Weldon.
L. I. MOORE	Third	Greenville.
E. W. POUL	Fourth	Smithfield.
A. L. BROOKS	Fifth	Greensboro.
RODOLPH DUFFY	Sixth	Catherine's Lake.
COLIN M. MCLEAN	Seventh	Elizabethtown.
WILEY RUSH	Eighth	Ashboro.
M. L. MOTT	Ninth	Wilkesboro.
M. N. HARSHAW	Tenth	Lenoir.
J. L. WEBB	Eleventh	Shelby.
JAMES W. FERGUSON	Twelfth	Waynesville.

CRIMINAL COURT JUDGES.

* AUGUSTUS M. MOORE	Eastern District	Greenville.
HENRY B. STEVENS	Western District	Asheville.

* Appointed by the Governor April 9, 1900, to fill vacancy caused by the death of Judge Dossey Battle

MEMBERS OF THE GENERAL ASSEMBLY.

CONVENES BIENNIALY IN THE CITY OF RALEIGH ON THE FIRST WEDNESDAY
AFTER THE FIRST MONDAY IN JANUARY.

SENATORS.

CHAS. A. REYNOLDS, LIEUTENANT-GOVERNOR, President, Winston.

District.	Name of Senator.	Post-office.	County.
1	T. G. Skinner	Hertford	Perquimans.
1	George Cowper	Winton	Hertford.
2	I. W. Miller	Alliance	Pamlico.
2	H. S. Ward	Plymouth	Washington
3	W. E. Harris	Seaboard	Northampton.
4	E. L. Travis	Halifax	Halifax.
5	R. H. Speight	Wrendale	Edgecombe.
6	F. G. James	Greenville	Pitt.
7	R. A. P. Cooley	Nashville	Nash.
7	T. S. Collie	Cedarrock	Franklin.
8	J. Q. Jackson	Kinston	Lenoir.
8	James A. Bryan	New Bern	Craven.
9	F. A. Daniels	Goldsboro	Wayne.
9	I. F. Hill	Faison	Duplin.
10	W. J. Davis	Winnabow	Brunswick.
11	Thomas O. Fuller	Warrenton	Warren.
12	F. A. Whitaker	Raleigh	Wake.
13	J. A. T. Jones	Gulley's Mills	Johnston.
14	J. W. S. Robinson	Delta	Sampson.
14	F. P. Jones	Dunn	Harnett
15	J. A. Brown	Chadbourn	Columbus.
15	Stephen McIntyre	Lumberton	Robeson
16	W. L. Williams	Little River Academy	Cumberland.
17	A. A. Hicks	Oxford	Granville.
18	Thomas M. Cheek	Mebane	Orange.
18	J. M. Satterfield	Estelle	Caswell.
19	J. A. Goodwin	Merry Oaks	Chatham.
20	William Lindsay	Reidsville	Rockingham.
21	J. N. Wilson	Greensboro	Guilford
22	J. C. Black	Carthage	Moore.
23	Charles Stanback	Mt. Gilead	Montgomery.
23	Thomas J. Jerome	Monroe	Union.
24	R. L. Smith	Norwood	Stanly.
25	F. I. Osborne	Charlotte	Mecklenburg.
26	R. B. Glenn	Winston	Forsyth.
26	J. C. Thomas	Midway	Davidson.
27	James A. Butler	Statesville	Iredell.
27	Frank C. Hariston	Fork Church	Davie.
28	J. C. Newsom	King	Stokes.
29	H. T. Campbell	Vashti	Alexander.
29	D. A. Lowe	Lowesville	Lincoln.
30	W. C. Fields	Sparta	Alleghany.
31	G. G. Eaves	Marion	McDowell.
31	W. L. Lambert	Bakersville	Mitchell.
32	M. H. Justice	Rutherfordton	Rutherford.
32	O. F. Mason	Dallas	Gaston.
33	T. J. Murray	Mars Hill	Madison.
33	W. J. Cooke	Ashville	Buncombe.
34	J. A. Franks	Almond	Swain
35	Joel L. Crisp	Stecoah	Graham.

OFFICERS.

Name.	Position.	Post-office.
C. A. Reynolds	President	Winston.
C. C. Daniels	Principal Clerk	Wilson
F. A. Clinard	Engrossing Clerk	Hickory.
J. B. Smith	Doorkeeper	Fayetteville.
M. W. White	Assistant Doorkeeper	Mount Mourne.
Walter Murphy	Reading Clerk	Salisbury.

REPRESENTATIVES.

H. G. CONNOR, SPEAKER, Wilson.

Name.	Post-office.	County.
W. H. Carroll	Burlington	Alamance.
A. C. McIntosh	Taylorsville	Alexander.
James M. Gambill	Sparta	Alleghany.
James A. Leak	Wadesboro	Anson.
B. E. Reeves	Lamar	Ashe.
B. B. Nicholson	Washington	Beaufort.
F. D. Winston	Windsor	Bertie.
George H. Currie	Clarkton	Bladen.
D. B. McNeill	Supply	Brunswick.
Locke Craig	Asheville	Buncombe.
J. C. Curtis	Luther	Buncombe.
J. H. Hoffman	Morganton	Burke.
L. T. Hartsell	Concord	Cabarrus.
S. L. Patterson	Yadkin Valley	Caldwell.
J. K. Abbott	South Mills	Camden.
J. B. Russell	Springle	Carteret.
C. J. Yarborough	Locust Hill	Caswell.
A. C. Boggs	Claremont	Catawba.
L. L. Wrenn	Siler City	Chatham.
J. A. Giles	Pittsboro	Chatham.
W. E. Mauney	Murphy	Cherokee.
W. D. Welch	Gliden	Chowan.
George M. Fleming	Hayesville	Clay.
Clyde R. Hoey	Shelby	Cleveland.
D. C. Allen	Armour	Columbus.
Isaac H. Smith	New Bern	Craven.
D. J. Ray	Endon	Cumberland.
H. McD. Robinson	Fayetteville	Cumberland.
S. M. Beasley	Poplar Branch	Currituck.
C. T. Williams	Avon	Dare.
C. M. Thompson	Lexington	Davidson.
G. L. White	Cana	Davie.
J. O. Carr	Kenansville	Duplin.
H. A. Foushee	Durham	Durham.
H. A. Gilliam	Tarboro	Edgecombe.
S. L. Hart	Heartsease	Edgecombe.
J. K. P. Carter	White Road	Forsyth.
William A. Lowery	Kernersville	Forsyth.
P. A. Davis	Laurel	Franklin.
L. H. J. Hauser	Cherryville	Gaston.
J. M. Trotman	Trotville	Gates.
O. P. Williams	Yellow Creek	Graham.
C. W. Bryan	Tar River	Granville.
A. A. Lyon	Lyons	Granville.
J. E. W. Sugg	Snow Hill	Greene.
J. C. Kennett	Pleasant Garden	Guilford.
J. C. Bunch	Oak Ridge	Guilford.
H. S. Harrison	Medoc	Halifax.
W. P. White	Hobgood	Halifax.
D. H. McLean	Dunn	Harnett.
J. S. Davis	Ironduff	Haywood.
M. S. Justus	Blue Ridge	Henderson.
Isaac F. Snipes	Menola	Hertford.
C. W. Davis	Engelhard	Hyde
J. B. Holman	Cool Springs	Iredell.
T. J. Williams	Mooresville	Iredell.
W. E. Moore	Webster	Jackson.
J. F. Brown	Earpsboro	Johnston.
D. C. Johnson	Benson	Johnston.
G. C. Noble	Tuckahoe	Jones.
W. W. Carroway	Kinston	Lenoir.
J. F. Rheinhardt	Rheinhardt	Lincoln.
J. Frank Ray	Franklin	Macon.
A. B. Bryan	Marshall	Madison.
H. W. Stubbs	Williamston	Martin.
E. J. Justice	Marion	McDowell.
Heriot Clarkson	Charlotte	Mecklenburg.
R. M. Ranson	Huntersville	Mecklenburg.
J. E. Henderson	Mint Hill	Mecklenburg.

REPRESENTATIVES—CONTINUED.

Name.	Post-Office.	County.
J. R. Pritchard	Elk Park	Mitchell.
W. A. Cochran	Troy	Montgomery.
J. L. Currie	Carthage	Moore.
Cicero Ellen	Rocky Mount	Nash.
George Rountree	Wilmington	New Hanover.
M. S. Willard	Wilmington	New Hanover.
W. C. Coates	Seaboard	Northampton.
S. M. Gattis	Hillsboro	Orange.
Frank Thompson	Jacksonville	Onslow.
George Dees	Grantsboro	Pamlico.
J. B. Leigh	Elizabeth City	Pasquotank.
Gibson James	Maple Hill	Pender.
F. H. Nicholson	Belvidere	Perquimans.
C. A. Whitfield	Yancey	Person.
W. J. Nicholls	Greenville	Pitt.
F. H. Barnhill	Grindool	Pitt.
J. W. McFarland	Poor's Ford	Polk.
T. J. Redding	Carraway	Randolph.
J. M. Burrow	Ashboro	Randolph.
H. C. Wall	Rockingham	Richmond.
Hector McLean	Laurinburg	Richmond.
G. B. Patterson	Maxton	Robeson.
J. S. Oliver	Affinity	Robeson.
J. H. Lane	Leaksville	Rockingham.
J. R. Garrett	Lenox Castle	Rockingham.
Lee S. Overman	Salisbury	Rowan.
D. R. Julian	Salisbury	Rowan.
J. F. Alexander	Forest City	Rutherford.
R. M. Crumpler	Ora	Sampson.
C. H. Johnson	Ingold	Sampson.
J. M. Brown	Albemarle	Stanly.
R. J. Petree	Germantown	Stokes.
W. W. Hampton	Dobson	Surry.
R. L. Leatherwood	Bryson City	Swain.
G. W. Wilson	Davidson's River	Transylvania.
William Maitland	Columbia	Tyrrell.
R. L. Stevens	Monroe	Union.
J. V. Eaton	Henderson	Vance.
J. D. Boushall	Raleigh	Wake.
G. T. Powell	Raleigh	Wake.
W. H. Holland	Varina	Wake.
W. B. Council	Boone	Watauga.
J. H. Wright	Churchill	Warren.
T. L. Tarkenton	Mackey's Ferry	Washington.
W. R. Allen	Goldsboro	Wayne.
J. M. Wood	Goldsboro	Wayne.
E. B. Hendren	Brushy Mount	Wilkes.
W. A. Tharpe	Bvrd	Wilkes.
H. G. Connor	Wilson	Wilson.
H. S. Williams	East Bend	Yadkin.
W. M. Austin	Burnsville	Yancey.

OFFICERS.

Name.	Position.	Post-Office.
H. G. Connor	Speaker	Wilson.
Brevard Nixon	Principal Clerk	Charlotte.
W. W. Willson	Reading Clerk	Raleigh.
J. S. Elmore	Engrossing Clerk	Bryson City.
W. R. Stallcup	Doorkeeper	Franklin.
E. B. Norvell	Enrolling Clerk	Murphy.

LIST OF COMMISSIONERS OF AFFIDAVITS FOR THE STATE OF NORTH CAROLINA.

List of Commissioners of Affidavits for the State of North Carolina, resident in other States, Territories and Countries, and in the District of Columbia, together with Residence, Date of Appointment, and Date of Qualification.

Name.	Address.	Date of Appointment.	Date of Qualification.
Abrahams, Howard	Equitable Building, Baltimore, Md.	Dec. 24, 1898	Dec. 27, 1898
Adams, Chas. Hall	23 Court Street, Boston, Mass.	Jan. 23, 1899	Jan. 23, 1899
Adams, Wm. B.	Savannah, Ga.	Jan. 24, 1900	Jan. 25, 1900
Anderson, Armour C.	13 Chambers Street, New York	Dec. 23, 1898	Dec. 27, 1898
Ballentyne, H.	224 Church Street, New York	July 1, 1899	July 5, 1899
Braman, Ella F.	1224 Broadway, New York	April 12, 1899	April 15, 1899
Braman, Jos. B.	120 Broadway, New York	May 11, 1899	May 13, 1899
Bruce, J. C.	Danville, Va.	July 15, 1899	July 27, 1899
Bundy, Chas. S.	317, 319 4½ Street, N. W., Washington, D. C.	Dec. 15, 1898	Dec. 17, 1898
Carter, Edward	310 Washington Street, New York	Nov. 6, 1899	Nov. 21, 1899
Cassell, Norman	434 High Street Portsmouth, Va.	Nov. 6, 1899	Nov. 7, 1899
Cleveland, L. W.	New Haven, Conn.	Dec. 20, 1899	Dec. 28, 1899
Cloud, Edward H.	703 Land Title, Philadelphia, Pa.	Dec. 13, 1898	Dec. 20, 1898
Coady, John J.	6 Wall Street, New York	Feb. 26, 1900	Mar. 6, 1900
Corey, Edwin F.	56 Wall Street, New York	April 6, 1899	April 8, 1899
Corey, Geo. H.	56 Wall Street, New York	Nov. 8, 1899	Nov. 8, 1899
Folsom, Thos. W.	835 Broadway, New York	Oct. 5, 1898	Oct. 25, 1898
Footo, Mark A.	158 and 174 Adams Street, Chicago, Ill.	Jan. 10, 1899	Jan. 13, 1899
Garney, Isaac E.	40 Wall Street, New York	Jan. 20, 1900	Jan. 24, 1900
Gilliam, Robert	Petersburg, Va.	April 14, 1899	April 15, 1899
Hanson, Murray	14 St. Paul Street, Baltimore, Md.	May 11, 1899	May 15, 1899
Harrison, Jos. T.	S W. Corner 5th and Main Streets, Cincinnati, O.	April 16, 1900	April 18, 1900
Hendry, John Burke	7 New Square, Lincoln Inn, London, England	April 6, 1899	April 25, 1899
Hillery, John A.	56 Wall Street, New York	Mar. 16, 1899	Mar. 21, 1899
Hodson, Thos. S., Jr.	6 E. Lexington Street, Baltimore, Md.	May 2, 1899	May 5, 1899
Hoffman, Ph. H.	440-444 Equitable Building, Baltimore, Md.	Jan. 20, 1900	Jan. 24, 1900
Humphrey, Wirt E.	701-115 Dearborne Street, Chicago, Ill.	June 3, 1899	June 6, 1899
Hunt, Thos. J.	623 Walnut Street, Philadelphia, Pa.	Dec. 7, 1899	Dec. 8, 1899
Hurt, Geo. W.	623 Walnut Street, Philadelphia, Pa.	Jan. 31, 1900	Feb. 2, 1900
Jackson, Eleazer	293 Broadway, New York	Mar. 10, 1899	Mar. 15, 1899
Jennison, Samuel	186 Washington Street, Boston, Mass.	Jan. 7, 1899	Jan. 9, 1899
Jones, Edward J.	61 Court Street, Boston, Mass.	Feb. 26, 1900	Feb. 28, 1900

LIST OF COMMISSIONERS OF AFFIDAVITS FOR THE STATE OF NORTH CAROLINA—Continued.

LIST OF COMMISSIONERS OF AFFIDAVITS.

Name.	Address.	Date of Appointment.	Date of Qualification.
King, Jas. L.	San Francisco, Cal.	Mar. 27, 1899	April 3, 1899
Mathieu, Harry C.	100 E. Lexington Street, Baltimore, Md	Aug. 29, 1898	Aug. 31, 1898
McHarg, Rufus K.	No. 7 Pine Street, New York	April 6, 1900	April 18, 1900
McKay, Alfred	59 Cedar Street, New York	Sept. 30, 1899	Oct. 2, 1899
Michelson, Adolph	Norfolk, Va.	Mar. 3, 1899	Mar. 4, 1899
Mitchell, John E.	1321 F Street N. W., Washington, D. C.	May 22, 1900	May 24, 1900
Netherland, Wm. M.	Washington, D. C.	May 28, 1900	May 31, 1900
Norfleet, Jas. M.	503 Columbia Building, Norfolk, Va.	Nov. 22, 1898	Nov. 23, 1898
Perkins, J. M.	Portsmouth, Va.	April 16, 1900	May 1, 1900
Raleigh, W. H. H.	Corner Hopkins Place, Baltimore, Md	Feb. 26, 1900	Feb. 28, 1900
Robb, W. F.	Pittsburg, Pa.	Nov. 19, 1898	Nov. 21, 1898
Roseman, Vincent	392 Broadway, New York	June 26, 1899	July 31, 1899
Ruffin, Edmond S.	Rooms 4 and 6, Academy of Music, Norfolk, Va.	Dec. 9, 1898	Dec. 13, 1898
Sparhawk, Chas. W.	400 Chestnut Street, Philadelphia, Pa.	June 9, 1899	June 12, 1899
Starke, L. D.	190 and 202 Main Street, Norfolk, Va	Jan. 30, 1899	Feb. 1, 1899
Starke, L. D., Jr.	Norfolk, Va.	Feb. 5, 1899	Feb. 9, 1899
Tanner, G. H.	Atlanta, Ga.	Jan. 20, 1900	Jan. 23, 1900
Taylor, Samuel L.	311 Betz Building, Philadelphia, Pa.	Dec. 7, 1898	Dec. 19, 1898
Taylor, Geo. W.	4th Army Corps, near Havana, Cuba.	Jan. 10, 1899	Not qualified
Tener, Kinley J.	Philadelphia, Pa.	May 26, 1899	June 21, 1899
Tobey, Rufus B.	178 Devonshire Street, Boston, Mass.	April 16, 1900	April 23, 1900
Tomlin, Robert W.	Norfolk, Va.	Dec. 7, 1899	Dec. 8, 1899
Wagner, Wm., Jr.	15 and 17 South 3d Street, Philadelphia, Pa.	Jan. 20, 1900	Jan. 24, 1900
Wallis, Wm.	Bristol, Va.	Sept. 27, 1898	Sept. 29, 1898
Whitty, J. H.	Richmond, Va.	Mar. 4, 1900	April 5, 1900
Williams, W. L.	104 Main Street, Norfolk, Va.	Mar. 24, 1900	Mar. 26, 1900

STATE OF NORTH CAROLINA,
OFFICE OF SECRETARY OF STATE, RALEIGH, June 29th, 1900.

I, CYRUS THOMPSON, Secretary of State, hereby certify the foregoing to be a true list of the Commissioners of Affidavits for North Carolina, resident in other States, Territories, etc., together with their places of residence, dates of appointment and dates of qualification, as recorded in this office.

CYRUS THOMPSON,
Secretary of State.

CAPTIONS

OF THE

PUBLIC LAWS

Adjourned Session, 1900

CAPTIONS OF THE PUBLIC LAWS.

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Adjourned Session, 1900

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PUBLIC LAWS

OF THE

State of North Carolina.

ADJOURNED SESSION, 1900.

PUBLIC LAWS

OF THE

State of North Carolina.

ADJOURNED SESSION, 1900.

CHAPTER 1.

An act supplementary to an act entitled "An Act to Regulate Elections," Ratified March 6th, 1899—the same being chapter five hundred and seven of the Public Laws of 1899.

The General Assembly of North Carolina do enact:

That chapter 507, of Public Laws of 1899, entitled "An Act to Regulate Elections," ratified March 6, 1899, be amended to read as follows: Chapter 507, Public Laws 1899, amended.

SECTION 1. That on the first Thursday in August, in the year of our Lord one thousand nine hundred, and every four years thereafter, an election shall be held in the several election precincts in each county for the following officers: Governor, Lieutenant Governor, Secretary of State, Auditor, Treasurer, Superintendent of Public Instruction, Attorney-General, and other State officers whose terms last for four years, and at said time and every two years thereafter, elections shall be held in the several election precincts in each county for other State officers whose election is not otherwise provided for by law. And on the first Thursday in August, in the year aforesaid, and every two years thereafter, an election shall be held for Members of the General Assembly for their respective counties and districts, a Register of Deeds, County Surveyor, Coroner and Sheriff for their respective counties, and county commissioners, where the county commissioners are elected by the people; and in such counties as have one, a County Treasurer, and other county officers whose terms are for two years. Time of holding elections for State officers.

SEC. 2. That on the first Thursday in August, in the year of our Lord one thousand nine hundred and two, and on said date every four years thereafter, an election shall be held in each county for the office of Clerk of the Superior Court, and at such times elections shall be held in the several Judicial Districts of the State for the office of Solicitor. Election for Clerk of Superior Court and Solicitor.

Election for constables and justices of the peace.

SEC. 3. That on the first Thursday in August, in the year of our Lord one thousand nine hundred, and on said dates every two years thereafter, an election shall be held in each township for the offices of Constable and Justice of the Peace, in such counties as elect them by a vote of the people, and other officers elected by a vote of the township.

State Board of elections created.

SEC. 4. That there shall be a State Board of Elections, consisting of seven discreet persons, who shall be electors, elected by the General Assembly at its present session, and whose term of office shall continue until the next regular meeting of the General Assembly, in the year one thousand nine hundred and one, and until their successors are elected and qualified. And the Legislature shall biennially at its regular sessions thereafter elect seven discreet persons, who shall be electors, to constitute said Board.

How elected.

County board of elections.

SEC. 5. That there shall be in every county in the State a County Board of Elections, to consist of three discreet persons, who are electors in the county in which they are to act, who shall be appointed by the State Board of Elections, at least three months before the next general State election, and biennially thereafter, and whose term of office shall continue for two years from the time of their appointment and until their successors are elected and qualified, unless sooner removed therefrom as hereinafter provided.

How appointed.

Term of office.

Meeting of state board of elections.

SEC. 6. That the State Board of Elections shall meet in the city of Raleigh on the first Monday in May, one thousand eight hundred and ninety-nine, and organize by electing one of their number chairman and another secretary. And any vacancy occurring in said Board during a recess of the Legislature shall be filled by the remaining members of said Board, and the person so chosen shall remain in office until the end of the term of office of the person in whose stead he was chosen. The State Board of Elections shall meet in Raleigh on the first Monday in April in each year in which there is to be held a general election, and the chairman of said Board may call such special meetings of said Board as may be necessary to discharge the duties and functions imposed upon the Board by this Act, at such times and places as he may appoint. And the members of the said Board shall each receive in full compensation for their services four dollars per day, for the time they are actually engaged in the discharge of their duties, together with their actual travelling expenses, and such other expenses as are necessary and incident to the discharge of the duties imposed by this Act, to be paid by the Treasurer of the State upon the warrant of the Auditor: *Provided, that*

Vacancies occurring.

Annual meetings of said board.

Special meetings.

Compensation of members of board.

To be paid by treasurer. Proviso.

the chairman shall call a meeting of the Board upon the application in writing of any two members thereof, or if there be no chairman, or the chairman does not call such meeting any three members of the said Board shall have power to call a meeting of the Board. And any duty imposed, or power conferred, by this Act may be performed or exercised at such meeting although the time for performing or exercising the same prescribed by this Act may have expired.

Chairman shall call meeting on application of two members. Any three members may call meeting. Any duty may be performed.

SEC. 7. That it shall be the duty of the County Board of Elections in each county to appoint all registrars and judges of election in their respective counties.

County boards shall appoint registrars and judges.

SEC. 8. That the State Board of Elections shall have power to remove from office any member of the County Board of Elections for incompetency, failure of duty, or for any other satisfactory cause. When any member of the County Board of Elections shall be removed by the State Board of Elections, the vacancy thus created shall be filled by the State Board of Elections. Vacancies occurring in the County Board of Elections, for other cause than removal by the State Board of Elections, shall be filled by the remaining members thereof.

Members of county board may be removed by state board.

Vacancies, how filled.

SEC. 9. That the County Board of Elections shall have power to remove any registrar or judge of election appointed by them, for incompetency, failure to qualify within the time prescribed by law, failure to discharge the duties of office after qualifying, or for any other satisfactory cause. That if any member of the County Board of Elections, or any registrar or judge of election, after having been removed as hereinbefore provided, and notified thereof, shall continue to exercise the duties of the position from which he has been removed, he shall be guilty of a misdemeanor, and upon conviction shall be fined not more than fifty dollars or imprisoned not more than thirty days.

Registrars and judges may be removed by county board.

Misdemeanor to exercise duties after removal.

SEC. 10. That it shall be the duty of the County Board of Elections to meet in their respective counties not later than the first Monday in May, in the year of our Lord one thousand nine hundred, and biennially thereafter, and at such other times and places as the chairman of said Board or any two members thereof may direct, and after organizing by electing one of their number chairman and another secretary, to divide their respective counties into election precincts and fix the places of polling in the several election precincts. They may adopt the present division of their county into election precincts, or they may establish entirely new precincts, or they may alter the present precincts, but the election precincts and precinct polling places as now fixed in each county shall remain as they now are, until altered.

Meeting of county board.

Division of county into precincts.

Alterations of precincts, 20 days notice required.

And in case of any alteration of the election precincts or polling places therein, they shall give twenty days notice thereof in some public journal, or in lieu thereof, in three public places in such county, and at the court-house door. And the said County Board of Elections shall have power from time to time after dividing their county into election precincts, to establish, alter, discontinue, or create such new precincts of election in their respective counties as they may deem expedient, giving twenty days notice thereof, by advertising in some public journal, or in lieu thereof, in three places in such county, and at the court-house door. If any polling place is changed in any precinct, like advertisement of such change shall be given. And there shall be at least one polling place in every township, as nearly central as possible. The said County Board of Elections shall make their requisition upon the Secretary of State for such books, blanks, and stationery as may be necessary for the registration of voters and holding elections in their respective counties. And if the Secretary of State shall fail to provide said books, blanks or stationery, before the first day of June before every general election, it shall be the duty of the said Board to provide the same at the expense of the State.

Notice advertised.

At least one polling place in each township.

Secretary of state to furnish upon requisition stationery, blanks, etc.

New registration before next general election.

SEC. 11. That before the next general election on the first Thursday in August, in the year of our Lord one thousand nine hundred, provided for in this Act, there shall be an entirely new registration of all persons who shall be entitled to register, in every voting precinct in the State, and only such persons as are registered shall be entitled to vote in any election held under this act. That in all cases the applicant for registration shall be sworn by the registrar, before being registered, and shall state and answer his name, age, place of birth; place of residence; stating ward, if he resides in an incorporated town or city; number of his house, if numbered, and if not numbered, then a designation of its locality by streets; and if not the owner, then the name of the owner or renter. If not a resident of an incorporated town or city, he shall then state his place of residence in the election precinct; and if he is not the owner of the house in which he lives, then he shall state the name of the person who does own the same; or upon whose land he lives; the time of his residence in said county, ward or election precinct; and, if not known to the registrars to be qualified to register, his avocation, place of business, where and by whom employed, if employed; if a new comer, from whence he came, and his post-office address before removal; whether he has been disqualified as a voter by judgment or decree of any court; if so, by what court reinstated;

Applicant for registration to be sworn.

Questions to be answered.

and any other questions which may be material upon the question of the identity and qualification of the said applicant to be admitted to registration. The registrar, if in doubt as to the right of the applicant to register, may require other evidence satisfactory to him as to the qualification of the applicant. And thereupon if the applicant shall be found to be duly qualified and entitled to be registered as an elector, the registrar shall register the applicant, giving his race opposite his name, and shall record his name, age, residence, place of birth, and the township, county or State from whence he has removed, in the event of a removal, in the appropriate column of the registration books, and the registration books containing the said record shall be evidence against the applicant in any court of law in a proceeding for false or fraudulent registration: *Provided*, that nothing herein contained shall prevent any elector, or judge of election, on the day of election and when the elector presents himself to vote, from challenging the right of the elector to vote. If an elector has been previously admitted to registration in any ward, precinct or township in the county in which he resides, he shall not be entitled to register again in another ward, precinct or township in the same county, until he produces a certificate of the registrar in the former township, ward or precinct that his name has been erased from the registration books of the ward, precinct or township from which he has removed, and the identity of any person claiming the right to be registered in any precinct of the same county by virtue of said certificate, with the person named therein, shall be proven to the registrar if not known to him. Every person qualified as an elector shall take the following oath:

Other questions, if regarded as material.

Registrar may require other satisfactory evidence.

Record to be made by the registrar.

Registration books evidence in court.

Proviso: right of challenge.

In case of removal, applicant must have certificate before registration in another precinct.

Applicant to prove his identity, if not known.

“I do solemnly swear (or affirm) that I will support the Constitution of the United States, and the Constitution of the State of North Carolina, not inconsistent therewith; that I have been a resident of the State of North Carolina for twelve months and of the county of for ninety days; that I am twenty-one years of age; that I have not registered for this election in any other ward, precinct or township; that I am the identical person I represent myself to be, and that I am a *bona fide* resident of precinct. So help me God.”

Oath of elector.

And thereupon the said person, if qualified, shall be entitled to register.

Applicant registered if qualified.

SEC. 12. If the applicant for registration is an Indian, his name shall appear in a separate column from the columns for the names of the white and colored persons.

Indians registered in separate column.

SEC. 13. No elector shall be entitled to register or vote in any

Where elector may register

other precinct, ward or township than the one of which he is a resident on the day of the election. And no person who is in this State for a temporary purpose shall be considered a resident of the ward, township or precinct in which he is sojourning, for the purpose of registration or voting.

Sojourner for temporary purpose not entitled to register.

Appointment of registrars. SEC. 14. The County Board of Elections of the several counties shall select, on or before the first Monday in June, in the year of our Lord one thousand nine hundred, and biennially thereafter, one person for each election precinct, who shall act as registrar of voters for such township, ward or precinct. The said County Board of Elections shall make publication of the names of the persons so selected, at the court-house door, immediately after such appointment and shall cause a notice to be served upon said persons by the Sheriff. If any registrar shall fail to perform the duties of his office, and for that or any other cause be removed from office, or shall die or resign, or if there shall for any other cause be vacancy in said office, the Chairman of the County Board of Elections may appoint another in his place, and no person who is a candidate for office shall be a registrar or judge of election.

Publication of appointment and service of notice.

Vacancies, how filled.

No candidate may be a registrar or judge of election.

Duty of registrar.

SEC. 15. That the registrar of each township, ward or precinct shall be furnished with a registration book prepared as hereinbefore provided, and it shall be his duty, between the hours of nine o'clock a. m. and sunset, on each day (Sunday excepted), for twenty days preceding the day for closing the registration books, as hereinafter provided, to keep open said books for the registration of any electors residing within such township, ward or precinct, and entitled to registration. That the said books shall be closed for registration, at sunset on the second Saturday before each election. That on each Saturday, during the period of registration, the registrar shall attend with his registration books at the polling place of his precinct or ward for the registration of voters.

Books to be kept open for 20 days. Hours of registration.

Books when closed.

Registrar at polling places on Saturdays.

Saturday preceding election.

SEC. 16. It shall be the duty of the registrar to attend at the polling place of his township or precinct with the registration books on the Saturday preceding the election, from the hours of nine o'clock a. m. till the hour of five o'clock p. m., when and where the said books shall be open for the inspection of the electors of the precinct or township, and any of said electors shall be allowed to object to the name of any person appearing on said books. In case of any such objection, the registrar shall enter upon his books, opposite the name of the person so objected to, the word "Challenged," and shall appoint a time and place, on or before the election day, when he, together with said judges of election, shall hear and decide said objection, giving

Books opened for inspection.

Electors may object. Challenge entered. Challenge, when and how decided.

personal notice of such challenge to the voter so objected to; and if for any cause personal notice cannot be given, then it shall be sufficient notice to leave a copy thereof at his residence: *Provided*, nothing in this section shall prohibit any elector from challenging or objecting to the name of any person registered or offering to register at any time other than that above specified. If any person challenged or objected to shall be found not duly qualified, the registrar shall erase his name from the books.

Sufficient notice.

Proviso: other time for challenge.

If challenge sustained, name erased.

County boards appoint judges of election.

SEC. 17. The County Board of Elections for each county, on or before the first Monday in July, in the year of our Lord one thousand nine hundred, and biennially thereafter, or at such other times as it may be necessary to do so, shall appoint two persons who shall act as judges of election at each place of holding elections in their respective districts; each of whom shall be men of good character and able to read and write, and they shall be of different political parties. The said Judges of Elections shall attend at the polling places for which they are severally appointed, on the day of election, and they, together with the registrar for such voting township, ward or precinct, who shall attend with the registration books, after being sworn by some justice of the peace, or other person authorized to administer oaths, to conduct the election fairly and impartially, according to the Constitution and laws of the State, shall open the polls and superintend the same until the close of the election. They shall keep poll books, in which shall be entered the name of every person who shall vote, and at the close of the election the said registrar and judges of election shall certify the same over their proper signatures, and deposit one copy thereof with the Register of Deeds and another with the Chairman of the County Board of Elections for safe keeping. And said poll books shall, in any trial for illegal and fraudulent voting, be evidence. The County Board of Elections shall immediately after the appointment of the judges of election, as herein provided, furnish a list of the names of such judges to the Sheriff of their county, who shall, within ten days, serve notice of such appointment upon said judges; and if any person appointed judge of election shall fail to attend, the registrar of the township, ward or precinct shall appoint some discreet person to act in his stead, who shall be by him sworn before acting. And if the registrar shall fail to appear, then the judge or judges of election appearing may appoint another to act as registrar, who shall be sworn by him or them before acting.

Qualifications of judges of election.

Duty of judges and registrar in holding elections.

Keep poll books.

Certify the same.

Return of poll books.

Poll books as evidence.

Sheriff to notify judges of election.

Judge failing to attend, registrar appoints.

Registrar failing to attend, judges appoint.

SEC. 18. The following classes of persons shall not be allowed to register or vote in this State, to-wit: First, persons under

Who may not register and vote.

twenty-one years of age; second, idiots and lunatics; third, persons who upon conviction or confession in open court shall have been adjudged guilty of felony or other crime infamous by the laws of this State, committed after the first day of January in the year of our Lord one thousand eight hundred and seventy-seven, unless they shall have been legally restored to the rights of citizenship.

Condition.

Who may register and vote.

SEC. 19. Subject to the foregoing exceptions every male person born in the United States, and every male person who has been naturalized, twenty-one years of age, who shall have resided in the State twelve months next preceding the election and ninety days in the county in which he offers to vote, shall be a qualified elector in the precinct or township in which he resides; and all electors shall register and vote in the election precinct of their residence. The residence of a married man shall be where his family resides, and that of a single man where he boards and sleeps; and should any single man board in one ward or precinct and sleep in another, then his residence shall be in the ward or precinct in which he sleeps, and he shall not register or vote in any other ward or precinct. But no elector shall be allowed to register in any ward or precinct to which he shall have removed for the mere purpose of being a voter therein, nor unless his residence therein is actual and *bona fide*. And it shall be the duty of the registrar or judge of election, when requested by any bystander, to swear any person offering to register or vote, as to his residence, and to have placed in writing opposite his name the word "Sworn;" and any person knowingly and fraudulently registering or voting at any other place than that of his *bona fide* residence shall be guilty of a crime infamous by the laws of this State, and punished by a fine not exceeding one thousand dollars or imprisoned at hard labor not exceeding two years, or both, in the discretion of the court.

Where elector may register and vote. Residence defined.

Residence must be bona fide.

When applicant to be sworn as to residence.

Penalty for fraudulent registration and voting at place other than residence.

No registration on day of election. Exception.

SEC. 20. No registration shall be allowed on the day of election; but if any person shall give satisfactory evidence to the registrar and judges of election that he has become qualified to register and vote after the time for registration has expired, he shall be allowed to register and vote on that date.

Challenges on day of election.

SEC. 21. On the day of election any elector may, and the judges of election shall, challenge the vote of any person who may be known or suspected not to be a duly qualified voter.

Examination of person challenged on day of election.

SEC. 22. When any person is challenged, the judges and registrar shall explain to him the qualifications of an elector, and shall examine him as to his qualifications; and if the person insists that he is qualified and shall prove his identity with the

person in whose name he offers to vote, or his continued residence in the precinct since his name was placed upon the registration list, as the case may be, by the testimony, under oath, of at least one elector, one of the judges, or the registrar, shall tender to him the following oath: "You do solemnly swear (or affirm) that you are a citizen of the United States; that you are twenty-one years old, and that you have resided in this State for twelve months, and in this county for ninety days next preceding this election, and that you are not disqualified from voting by the constitution and laws of this State; that your name is (here insert the name given), and that in such name you were duly registered as a voter of this township, and that you are now an actual resident of the same, and have been ever since you were so registered; and that you are the identical person you represent yourself to be, and that you have not voted in this election at this or any other polling place: So help you God." And if he refuses to take such oath, his vote shall be rejected; if, however, he does take the oath when tendered his vote shall be received: *Provided*, that after such oath shall have been taken, the registrar and judges may, nevertheless, refuse to permit such person to vote, unless they be satisfied that he is a legal voter; and they are hereby authorized to administer the necessary oaths or affirmations to all witnesses brought before them to testify to the qualifications of a person offering to vote. Whenever any person's vote shall be received, after having taken the oath prescribed in this section, the clerks of election shall write on the poll books, at the end of such person's name, the word "Sworn." The same powers as to the administration of oaths and the examination of witnesses, as in this section granted to registrars and judges of election, may be exercised by the registrars in all cases where the names of persons registered or offering to register are objected to.

SEC. 23. That the polls shall be open on the day of election from sunrise in the morning until sunset on the same day, and no longer, and each elector whose name shall appear registered and who shall not be challenged and rejected, shall be entitled to vote. A space of not more than fifty feet in every direction from the polls or the rooms in which the election is held may be kept open and clear of all persons except the election officer, herein provided, which space may be railed or roped off, with a narrow passage leading to and from the polls. And each elector shall approach the polls from one direction, through such passage; and after his ballot is deposited in the box, with as little delay as possible, shall depart by the passage leading from the

Oath tendered to the elector.

Failing to take the oath, his vote rejected.

Taking the oath, vote received. *Provido*: registrar and judges must be satisfied.

Oath may be administered to witnesses.

If vote received, poll-books marked "sworn."

Power of registrar and judges to administer oath.

Hours when polls to be opened and closed.

Space of 50 feet may be kept open.

Space may be railed or roped off. How elector may approach and leave the polls.

Only one elector at a time. Who may speak to him.

Voter not to speak to or make signs to any body but registrar and judges of election until his ballot is deposited. The space to be kept open and clear.

Duty of bailiff.

Each party may have a challenger.

In case of challenge, who may enter space.

Deposit registration books with Register of Deeds.

Registration and poll-books of 1898, to whom delivered and when.

Appointment of election constables and their duties.

polls. Only one elector shall enter the said passage leading to the polls at a time; and after the elector has entered the passage, no one except the registrar or judges of election, or the challengers, hereinafter provided for, shall be permitted to speak to him, or make any signs to him, nor shall he be permitted to speak to or make any signs to any one except the registrar and judges of election, except in case his vote is challenged, as hereinafter provided, until his ballot has been deposited in the box, and he has passed out of the enclosure. The said railed or roped space shall at all times during the hours for balloting be kept open and cleared of all persons, except the election officers aforesaid; and it shall be the duty of the election bailiff, hereinafter provided for, to keep such space so cleared and opened. Each political party shall be entitled to have at each polling place a challenger, and if the vote of any elector shall be challenged by them or any other elector, or the registrar or judges of election, upon the announcement of such challenge the said challengers, or either of them, and any of the witnesses that may be called for or against the elector whose vote has been challenged, shall be permitted to proceed through the passage or entrance aforesaid to the polling place, and remain while the testimony is being taken upon the question of challenge, and no longer.

SEC. 24. Immediately after any election, the registrar and judges of election shall deposit the registration books for their respective precincts with the Register of Deeds of their respective counties. The registration and poll books in use in the several wards and precincts in the election held in this State in November in the year of our Lord one thousand eight hundred and ninety-eight, shall be delivered to the registrars appointed under this act as soon after their appointment as practicable.

SEC. 25. The registrar and judges of election may appoint as many election constables or bailiffs, not to exceed three, as they may deem necessary for each precinct or ward, to be present during the election to keep the peace and to protect the voting place, and to prevent improper intrusion upon the voting place, or the booths or railed or roped space provided in this act, or interfering with the election, and to arrest all persons creating any disturbance about the voting place, and to enable all persons who have not voted and who desire to vote, to have unobstructed access to the polls, for the purpose of voting when others are not voting, and to keep clear the open space, hereinbefore provided, at all times during the election. It shall be the duty of the election constables or bailiffs to be present at the voting place, and to take such steps as will accomplish the object of their appointment

and they shall have full power to do so. And they may summon to their aid all persons present at the voting place, and may arrest offenders against this section, and hold them in custody as long as may be necessary, not to exceed twenty-four hours. And for the purpose of carrying out the powers herein conferred upon them, the registrar and judges of election shall be and are hereby constituted conservators of the peace.

Power of arrest.

Registrar and judges of election, conservators of the peace.

SEC. 26. That the State officers, viz: Governor, Lieutenant-Governor, Secretary of State, Auditor, Treasurer, Superintendent of Public Instruction and Attorney General and other State officers not herein mentioned shall be voted for on one ballot. That the Justices of the Supreme Court, the Judges of the Superior and Criminal Courts and Solicitors shall be voted for on one ballot. That the members of the General Assembly for their respective counties and districts shall be voted for on one ballot. That the county officers for the respective counties, to-wit: Clerk of the Superior Court, Treasurer, Register of Deeds, Surveyor, Coroner, Sheriff and County Commissioners where they are elected by the people, and tax collectors and any other officer elected by the voters of the county, shall be voted for on one ballot, and all officers elected by the voters of a township shall be voted for on one ballot.

State officers on one ballot.

Judges and solicitors on one ballot.

Members of the General Assembly on one ballot.

SEC. 27. That all the ballots for State officers shall be of the same size. That all the ballots for Judges of the Supreme, Superior and Criminal Courts, and Solicitor, shall be of the same size. That all the ballots for members of the General Assembly shall be of the same size. That all the ballots for county officers shall be of the same size. That all the ballots for township officers shall be of the same size. That all the ballots shall be printed upon white paper, without ornament, symbol or device and shall contain nothing except the name or names of the person or persons voted for, the county in which they reside and the office to which such person or persons are intended to be chosen, which name or names, and office or officers shall be printed. That the State Board of Elections shall on or before the first Monday in July of the year in which a general election is to be held, prescribe the size and color of the paper of all ballots for State officers, for Judges of the Supreme, Superior and Criminal Courts and Solicitor; and on or before the first Monday in October in any year in which a Congressional or National election is to be held they shall prescribe the size and color of ballots for Congressman and Presidential and vice-Presidential electors, and on or before the first Monday in July, 1900, they shall prescribe the size and color of all ballots for the Constitutional Amendment to be submitted

Size of ballots.

All ballots to be printed on white paper and without device.

Name and office to be printed. State Board of Election shall prescribe size and color of ballots.

Size and color for ballots on Constitutional Amendment.

to the people at the August election in the year nineteen hundred. And the County Board of Elections shall, on or before the first Monday in July in every year in which a county election is to be held, prescribe the size of and color of all ballots for members of the General Assembly in their respective counties, and for the county officers of their respective counties, and for the township officers in their respective counties. That all ballots shall be printed in plain long primer letters: *Provided*, that nothing herein contained shall prevent the elector from voting a ticket partly printed and partly written of the designated size and color, or from erasing any name upon the printed ballot and writing other names thereon or pasting thereon other printed names. That it shall be the duty of the State Board of Elections to notify the State Chairman of each political party by mailing to him a statement of the prescribed size and color of all State, district and national ballots within ten days after the same shall have been adopted as herein provided, and within such time shall file with the Secretary of State two hundred samples of the paper on which said tickets are to be printed; and it shall be the duty of the Secretary of State upon application to furnish one sample to each State and district chairman of a political party in the State and he shall preserve at least one sample of said paper, and they shall publish such statement in a newspaper published in the city of Raleigh; and it shall be the duty of the County Board of Elections to notify the county chairman of each political party by mailing to him a statement of the prescribed size and color of all ballots for Legislature, county and township officers within five days after the time of the adoption of the same. And the said county boards within such time shall furnish to the Clerks of the Court of their respective counties at least twenty-five samples of the said paper upon which said tickets are to be printed; and the several clerks shall upon application furnish to the County Chairman of each political party in their respective counties a sample of such paper and shall preserve at least one sample thereof. And they shall publish said statement in some newspaper in said county, and if there is no such, then at the court-house door.

SEC. 28. That the County Board of Elections, or upon their failure, the registrar and judges of election, shall provide for each election precinct in their respective counties ballot boxes for each class of officers to be voted for, in which to deposit the ballots for such officers respectively. Each of said boxes shall have an opening through the lid of sufficient size to admit a single folded ballot and no more. And each box shall be labeled in plain

County board shall prescribe color and size of ballots for county officers.

How printed.

Proviso.

Elector can vote ticket partly written and partly printed.

State chairman shall be notified.

Samples of paper to be filed with Secretary of State.

Secretary of State upon request to furnish sample to each state and district chairman of each political party.

Statement to be published. County board to notify county chairman of each party.

County boards to furnish samples to Clerk Superior Court.

Clerks to furnish sample to county chairman of each party, upon request.

Statement to be published.

County board of elections shall provide ballot boxes.

Opening and label of boxes.

Roman letters designating the officers voted for. That the said ballot boxes shall be kept by the registrar and judges of election for the use of the several precincts respectively. And the said registrar and judges of election before voting begins, shall carefully examine the ballot boxes and see that there is nothing in them.

Boxes to be kept by registrar and judges.

Boxes to be examined before voting begins.

Counting of ballots.

SEC. 29. That when the election shall be finished, the registrar and judges of election, in the presence of such of the electors as may choose to attend, shall open the boxes and count the ballots, reading aloud the names of the persons which shall appear on each ballot; and make out and sign a return or statement of the result of the election, and if there shall be two or more tickets rolled up together, or any ticket shall contain the names of more persons than such elector has a right to vote for, or shall have an ornament, symbol or device upon it, or shall be manifestly of different size and color than the size and color prescribed by the State Board of Elections and the County Board of Elections, or shall be found in the wrong box, in either of those cases such ticket shall not be numbered in taking the ballots, but shall be void. And said counting shall be continued without adjournment until completed and the result thereof declared: *Provided*, that the chairman of any political party in the State may file in the office of the Secretary of State a ballot or ballots designating the offices to be voted for on any State, district or county ticket, and no ballot shall be rejected that contains only the names of persons to fill the office so designated on account of containing the names of more persons than the elector had a right to vote for.

Names to be read aloud.

Statement to be made out and signed.

Ballots discarded.

Counting shall continue until completed.

Proviso: Party chairman may file with Secretary of State ballot designating office to be voted for. Ballot not rejected.

SEC. 30. The registrar and judges of election in each township, ward or precinct shall appoint one of their number to attend the meeting of the Board of County Canvassers as a member thereof, and shall deliver to the member who shall have been so appointed the original return or statement of the result of the election in such township, ward or precinct, and the members of the several township, ward or precinct Boards of Elections, who shall have been so appointed, shall attend the meeting of the Board of County Canvassers for such elections in the county in which they shall have been appointed as members thereof.

Registrar and judges shall appoint one of their number to attend meeting of the board of county canvassers as a member. To whom original returns shall be delivered. Member shall attend meeting of board of county canvassers.

SEC. 31. That the members of the several Boards of Elections to whom the original returns or statements of the result of the election in the precincts, wards or townships, to which they respectively belong, shall have been delivered, as directed in the preceding section, shall constitute the Board of County Canvassers for such election in the county in which such precinct, ward or township shall be situated.

County canvassers, of whom composed.

Majority of members appointed shall constitute board.

SEC. 32. That a majority of the members of the several precinct Boards of Election, who shall have been appointed to attend the meeting of the Board of County Canvassers as members thereof, shall constitute such Board.

When board of county canvassers meet.

SEC. 33. That the Board of County Canvassers shall meet on the second day next after every election at twelve o'clock, noon, of that day at the court-house of the county, and at that hour, without delay, the members of such Board who shall be then present shall choose one of their number who shall be the chairman and shall choose one of their members as clerk of said Board: *Provided*, the Board of County Canvassers of Carteret, Hyde and Dare shall meet on the seventh day after the election; and as soon as such chairman shall be appointed he shall administer to each of the other members, and each of the other members shall take, an oath or affirmation in the following form: "You do swear (or affirm) that you will faithfully and impartially execute the duties of the Board of Canvassers according to law." And, thereupon, one of the members of such Board, appointed for that purpose, shall administer to such chairman, and such chairman shall take, an oath or affirmation in the same form as that taken by the other members of the Board. And before proceeding to canvass and estimate the votes in such county, the chairman of the Board shall administer to the clerk thereof an oath or affirmation in the following form: "You do swear (or affirm) that you will faithfully execute the duties of clerk of this Board according to law."

Organization of board. Proviso as to Carteret, Dare and Hyde.

Oath to be taken by members.

By chairman.

Oath taken by clerk.

Canvass of returns.

SEC. 34. The Board of County Canvassers, at their said meeting, in the presence of such electors as choose to attend, shall open and canvass and judicially determine the returns, stating the number of legal ballots cast in each precinct for each office, the name of each person voted for, and the number of votes given to each person for each different office, and also the number of votes cast for and against the adoption of any amendment to the Constitution, and shall sign the same. The said Board shall have power and authority to judicially pass upon all the facts relative to the election, and judicially determine and declare the true result of the same. And they shall also have power and authority to send for papers and persons and examine and look upon them.

May judicially pass upon and determine.

May send for persons and papers.

Abstracts on different sheets.

SEC. 35. That the abstract of the votes for each of the following classes of officers shall be made on a different sheet:

(1) Governor and all State officers.

(2) Senators and Representatives in the General Assembly.

(3) Justices of the Supreme Court, Judges of the Superior and Criminal Courts and Solicitors.

(4) County officers.

- (5) Township officers.
- (6) Representatives in Congress, and also
- (7) Amendments to the Constitution.

SEC. 36. Two abstracts of all votes cast for State officers, Representatives in Congress and amendments to the Constitution, for Justices of the Supreme Court, for Judges of the Superior and Criminal Courts and for Solicitors shall be made and signed by the chairman of the Board of County Canvassers, one of which shall be delivered to the chairman of the County Board of Elections, one filed with the Register of Deeds, to be registered in his office, also two separate abstracts of all the votes cast for State Senators when the Senatorial district consists of more than one county, one of which shall be filed with the Register of Deeds, to be registered in his office, and the other furnished to the County Board of Elections or other returning officer.

Two abstracts to be made and signed by chairman.

To whom these delivered.

Two abstracts (other classes) signed by chairman.

To whom delivered.

SEC. 37. That each abstract of the votes cast for such officers as the county alone elects, shall contain an accurate statement of all the persons voted for and the number of legal votes cast for each.

Abstract of votes for county officers.

SEC. 38. That when the canvass is concluded the Board shall deliver the original returns to the Clerk of the Superior Court, to be filed in his office, and shall cause each of the abstracts mentioned in the two preceding sections to be recorded in a book to be called "The Election Book," to be kept in the office of said Clerk. And said Clerk shall also transmit by mail to the Secretary of State and to the chairman of the State Board of Elections, duplicates of the abstracts mentioned in section thirty-five, each abstract to be sealed up in a separate envelope.

Original returns delivered to the clerk of the superior court.

Abstracts to be recorded in "election book." Clerk of superior court sends duplicates, to whom.

SEC. 39. That the person having the greatest number of legal votes for any office is to be declared elected. But if two or more county candidates, having the greatest number of votes shall have an equal number, the County Board of Elections shall determine which shall be elected.

Who declared elected.

SEC. 40. That when the Board of County Canvassers shall have thus completed the comparison of the polls, they shall judicially determine the result of the election in their county for all persons voted for, and proclaim the same at the court-house door with the number of votes cast for each.

Result to be declared at court house door.

SEC. 41. The chairmen of the County Board of Elections in the various Senatorial districts, composed of more than one county, after receiving the returns from the Board of County Canvassers, shall meet on the ninth day after the election at the following places in their respective districts for the purpose of comparing polls: From the first district, at Hertford, in the

Meeting of chairmen of county boards of elections in senatorial districts. Time and places of meeting.

county of Perquimans; in the second district, at Plymouth, in the county of Washington; in the third district, at Roxobel, in the county of Bertie; in the seventh district, at Nashville, in the county of Nash; in the eighth district, at New Bern, in the county of Craven; in the ninth district, at Warsaw, in the county of Duplin; in the tenth district, at Wilmington, in the county of New Hanover; in the eleventh district, at Ridgeway, in the county of Warren; in the fourteenth district, at Roseboro, in the county of Sampson; in the fifteenth district, at Lennon's Cross Roads, near Francis Lennon's, in the county of Columbus; in the seventeenth district at Berea, in the county of Granville; in the eighteenth district, at Hillsboro, in the county of Orange; in the twenty-second district, at Brower's Mill, in the county of Randolph; in the twenty-third district, at Lilesville, in the county of Anson; in the twenty-fourth district, at Mount Pleasant, in the county of Cabarrus; in the twenty-sixth district, at Lexington, in the county of Davidson; in the twenty-seventh district at Harmony, in the county of Iredell; in the twenty-eighth district, at Pilot Mountain, in the county of Surry; in the twenty-ninth district, at Hickory, in the county of Catawba; in the thirtieth district, at Jefferson, in the county of Ashe; in the thirty-first district, at Marion, in the county of McDowell; in the thirty-second district, at Mooresboro, in the county of Cleveland; in the thirty-third district, at Asheville, in the county of Buncombe; in the thirty-fourth district, at Webster, in the county of Jackson; in the thirty-fifth district, at Murphy, in the county of Cherokee.

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If chairman is prevented from meeting, returns waited for.

Penalty for failure to attend.

Adjournment from day to day.

Returns to be sent for.

Returns canvassed.

If for any cause any of the said chairmen of the County Board of Elections, are prevented from meeting at such places respectively on the aforesaid ninth day after the election, the returns of such officers shall be waited for and received if they arrive on the following day, and the returning officer failing to attend at the time and place required as aforesaid shall forfeit and pay one thousand dollars, to be recovered in the Superior Court of his county by any person who may sue for the same, and shall be guilty of a misdemeanor; but if the returns from all the counties be not in hand by noon of the day appointed, then the returning officers shall adjourn from day to day until the returns from all the counties be received, and in the meantime shall dispatch a competent person, under oath, to the county delinquent in returning, for a certified copy of the vote for that county, which shall be furnished by the Register of Deeds of such county, and when received shall be counted; and when the chairmen of the Board of County Elections shall be convened as aforesaid, the polls for the different counties shall be examined

and compared by them in the presence of such electors as choose to attend; and a certificate, under the hands and seals of the returning officers, shall be given to the candidate in each district for whom the greatest number of votes shall have been given.

Certificate of election of senator.

SEC. 42. The chairman of the County Board of Elections of each county shall furnish within ten days, the member or members elected to the House of Representatives and to the Senate, when the district is not composed of more than one county, a certificate of election under his hand and seal; he shall also immediately notify all persons elected to the county offices to meet at the court-house on the first Monday in the ensuing December to be qualified.

Certificate of election within ten days.

Notice to qualify.

SEC. 43. The chairman of the County Board of Elections, or other returning officer of each county, shall on or before the fifth day after the election, transmit by mail, in a registered letter or otherwise, to the Speaker of the House of Representatives, a separate statement of the votes taken in his county for each of the State officers, to-wit: Governor, Lieutenant Governor, Secretary of State, Auditor, Treasurer, Superintendent of Public Instruction, and Attorney General, and other State officers and Amendment to the Constitution, which statement in each case shall be in the following or some similar form, viz:

Statements sent to the speaker of the house of representatives. By whom, when and how.

State of North Carolina, county:

"I, the chairman of the County Board of Elections, do hereby certify that at the election held in the said county to elect a Governor (or other officers, as the case may be) for years, from the first day of next, at the places appointed by law for holding elections for said county, on the . . day of, A. D. one thousand nine hundred and, votes were given for and votes for Given under my hand, this . . day of, nineteen hundred and

Form of statement.

.....
Chairman of the County Board of Elections."

If said statements are transmitted by mail, they shall be directed in sealed packets to the Speaker of the House of Representatives, in care of the Secretary of State, and if by messengers, they shall be sent direct to the Speaker of the House of Representatives, sealed as aforesaid: *Provided*, that no messenger bringing said statements or any other abstracts or election returns shall receive compensation therefor. The chairman of the County Board of Elections, or other returning officers, failing or neglecting to perform the duties required in this section shall forfeit and

How statements transmitted.

Messenger receives no compensation.

Failure to make returns, penalty.

pay two thousand dollars, to be recovered in the Superior Court of his county by any person who shall sue for the same, and shall be guilty of a misdemeanor, and imprisoned at hard labor in the penitentiary for twelve months: *Provided further*, that the chairman of the County Board of Elections of the counties of Carteret, Hyde and Dare shall have until the eleventh day after the election to comply with this section.

Proviso: Carteret, Dare and Hyde.

Secretary of State to furnish blanks to returning officers.

SEC. 44. The Secretary of State shall cause proper forms of returns to be prepared and printed, and send copies thereof, with plain directions as to the manner of endorsing, directing and transmitting the same to the seat of government, to all the returning officers of the State, at least thirty days before the time of holding any election. He shall also furnish to the Register of Deeds of each county all such printed blanks as may be necessary for making the county returns.

To register of deeds for county returns.

Speaker of the house of representatives opens returns.

SEC. 45. The Speaker of the House of Representatives, in the presence of a majority of the members of both houses of the General Assembly, shall open and publish the returns for Governor, Lieutenant-Governor, Secretary of State, Auditor, Treasurer, Superintendent of Public Instruction and Attorney-General, or other State officers, and the vote on any amendment to the Constitution, at twelve o'clock, noon, on the first Tuesday after the organization of both houses of the General Assembly. And if for any cause there be no return from any county of the State, or if any return be defective, a proper return shall be had in such manner as the two houses in joint session may direct; and in either case the publication of the result may be postponed to such time as the joint session of the two houses may deem best. The person having the highest number of votes for each office, respectively, shall be declared duly elected thereto, but if two or more be equal and highest in votes for the same office, then one of them shall be chosen by joint ballot of both houses of the General Assembly. Contested elections shall be determined by a joint vote of both houses of the General Assembly in the same manner and under the same rules and regulations as prescribed in cases of contested elections of members of the General Assembly.

Day and hour.

Delinquent and defective returns, how obtained.

Declaration of result.

Ties and contested elections, how determined.

Abstract of returns to be made by clerks of both houses.

SEC. 46. An abstract of the returns for the State officers, and any amendment to the Constitution, shall be made by the clerks of the two houses of the General Assembly, showing the number of ballots cast for each candidate, the names of all persons voted for, the offices for which they received such votes, and the number of votes cast for each person, and the persons ascertained by the canvass to be elected to the several offices; and said abstract

shall be signed by the presiding officers of the two houses and delivered to the Secretary of State, who shall record it in the election book kept in his office and then file it. Said abstract shall also be printed in the journals of the two houses, and in the legislative documents.

Abstracts, how signed.
Filed with secretary of state; recorded; printed in journals and documents.

SEC. 47. Any registrar or judge of election, or any county canvasser or commissioner, Register of Deeds, clerk or chairman of the County Board of Elections, failing to make the returns and perform the duties required of him, shall be fined not less than five hundred nor more than one thousand dollars, or imprisoned not more than six nor less than two months, at the discretion of the court; and every such officer for every such offense shall forfeit and pay the sum of five hundred dollars, to be recovered in the name and to the use of the State, on motion of the Attorney-General in the Superior Court of Wake County, ten days previous notice in writing of such intended motion having been given to such officer by the Secretary of State. The proceeding thereon shall be summary, and if any matter of fact shall be in issue, the same shall be tried at the first term; and on such trial, or for any purpose in the prosecution of such motion to judgment, the certificate of the Secretary of State, or of the Governor, as the case may be, of the particular default on which the motion is founded, shall be received as competent *prima facie* evidence to prove the same.

Failure to make returns and perform duties required of certain officers.

Fine or imprisonment, and forfeit.

Notice by secretary of state.

Summary proceeding.

Evidence.

SEC. 48. If any chairman of the County Board of Elections, or other returning officer whatever, shall wilfully, or of malice, neglect to perform any duty, act, matter, or thing required or directed, in the time, manner and form in which such duty, act, manner or thing is required to be performed in relation to the election, and returns thereof, of the Governor, of the Representatives in Congress, of Justices of the Supreme Court, of Judges of the Superior Court, of Solicitors, or of electors for President and vice-President of the United States, or other officers, and any amendment to the Constitution, the person so offending shall be guilty of a felony, and fined not less than one thousand nor more than five thousand dollars and be imprisoned not less than one nor more than three years.

Chairman of county board of elections or other returning officer failing to perform any duty guilty of felony.

Penalty.

SEC. 49. Any person who shall, with intent to commit a fraud, register or vote at more than one box or more than one time, or who shall induce another to do so, or any person who shall illegally vote at any election, shall be guilty of an infamous crime, and imprisoned not less than six nor more than twelve months, or fined not less than one hundred nor more than five hundred dollars, at the discretion of the court, and any registrar

Fraudulent registration or voting, infamous crime.

Penalty.

Registrar, clerk or copyist making fraudulent entry. Penalty. of voters, or any clerk or copyist, who shall make any entry or copy with intent to commit a fraud, shall be liable to the same penalty.

Corruptly taking voter's oath, perjury. Penalty. SEC. 50. Any person who shall corruptly take the oath prescribed for voters shall be guilty of perjury, and be fined not less than five hundred dollars nor more than one thousand dollars, and be imprisoned at hard labor in the penitentiary not less than two nor more than five years.

Secretary of state to furnish election law, when and to whom. SEC. 51. The Secretary of State shall, at least sixty days before each election, furnish the County Board of Elections of each county with a sufficient number of copies of this chapter as it will read with the latest amendments incorporated with it, to supply each county canvasser, commissioner, Register of Deeds, Sheriff, registrar of votes, and judge of election with one copy thereof.

Persons breaking up elections by force and violence guilty of misdemeanor. Penalty. SEC. 52. Any person who, by force and violence shall break up or stay any election by assaulting the officers thereof, or depriving them of the ballot boxes, or by any other means, his aiders and abettors, shall be guilty of a misdemeanor and imprisoned not more than three months, and pay such fine as the court shall adjudge, not exceeding one hundred dollars. If any person shall interrupt or disturb the registrar while actually engaged in the registration of voters, or the registrar or judges of election while engaged in holding the election, or in counting and adding up the result thereof; or the Board of County Canvassers or the State Board of Canvassers, while engaged in the discharge of their official duties, or behave in a disorderly or boisterous manner in the presence of said officers while so engaged in the discharge of their official duties, or obstruct such officers in the legal discharge of the duties of their several positions, such person shall be guilty of a misdemeanor, and upon conviction shall be fined not more than fifty dollars or imprisoned not more than thirty days.

Disturbing registrar or judges of elections or boards of canvassers, a misdemeanor. Penalty.

Unlawful to treat at any time with intent to influence election. SEC. 53. Any person who shall treat with either meat or drink, on any day of election, or on any day previous thereto, with an intent to influence the election, shall forfeit and pay two hundred dollars, the one-half for the use of the county, and the other to the use of the person who shall sue for the same.

Intimidation or coercion of qualified voter a misdemeanor. SEC. 54. Any person who shall discharge from employment, withdraw patronage from, or otherwise injure, threaten, oppress or attempt to intimidate any qualified voter of this State because of the vote such voter may or may not have cast in any election, shall be guilty of a misdemeanor.

SEC. 55. Any person who shall, at any time before or after an

election, give or promise to give any money, property or reward to any elector in order to secure his vote, shall be guilty of a misdemeanor, and any person who shall receive or agree to receive any such bribe shall also be guilty of a misdemeanor.

Giving or promising or receiving or agreeing to receive reward or bribe, a misdemeanor.

SEC. 56. Any person who shall bet or wager any money or other thing of value upon any election held in this State shall be guilty of a misdemeanor.

Betting upon election a misdemeanor.

SEC. 57. (For Senators and their mode of election, see Act of Congress of the twenty-fifth of July, one thousand eight hundred and sixty-six, fourteenth statutes at large, chapter two hundred and forty-five, page two hundred and forty-three.)

U. S. Senators, mode of election.

SEC. 58. For the purpose of selecting Representatives in Congress of the United States, the State of North Carolina shall be divided into nine districts, as follows:

Congressional districts.

First—Beaufort, Camden, Carteret, Chowan, Currituck, Dare, Gates, Hertford, Hyde, Martin, Pamlico, Pasquotank, Perquimans, Pitt, Tyrrell and Washington.

First district.

Second—Bertie, Edgecombe, Greene, Halifax, Lenoir, Northampton, Warren, Wilson and Wayne.

Second district.

Third—Bladen, Cumberland, Duplin, Craven, Harnett, Jones, Moore, Onslow and Sampson.

Third district.

Fourth—Chatham, Franklin, Johnston, Nash, Randolph, Vance and Wake.

Fourth district.

Fifth—Alamance, Caswell, Granville, Guilford, Person, Durham, Orange, Rockingham and Stokes.

Fifth district.

Sixth—Anson, Brunswick, Columbus, Mecklenburg, New Hanover, Pender, Richmond, Robeson and Union.

Sixth district.

Seventh—Cabarrus, Davidson, Iredell, Montgomery, Rowan, Stanly, Lincoln, Catawba, Davie and Yadkin.

Seventh district.

Eighth—Alleghany, Ashe, Burke, Caldwell, Forsyth, Alexander, Watauga, Wilkes, Surry and Cleveland, Gaston, Mitchell.

Eighth district.

Ninth—Buncombe, Cherokee, Clay, Graham, Haywood, Henderson, Jackson, McDowell, Macon, Madison, Polk, Rutherford, Swain, Transylvania and Yancey.

Ninth district.

SEC. 59. Whenever by a new appointment [apportionment] of Representatives among the several States the number of Representatives in Congress of the United States from North Carolina shall be either increased or decreased, and neither the Congress nor the General Assembly shall provide for the election of the same, then if the said Representatives shall be increased, the increased number shall be elected by the qualified voters of the whole State, and shall be voted for on one ballot, and the Representatives from the several Congressional districts shall be elected by the voters of said districts respectively, and shall each

Congressmen, how elected, in event of increase or decrease of representation.

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be voted for on another ballot. But if the number of said Representatives shall be decreased as aforesaid, in that event all the Representatives in Congress shall be elected by the qualified voters of the whole State and shall be voted for on one ballot.

Congressional election, when held.

SEC. 60. The election for members of Congress shall be held on the Tuesday next after the first Monday in November, nineteen hundred, and biennially thereafter, unless Congress shall prescribe a different time for the holding of such elections, and shall be conducted by the officers provided for holding elections of Members of the General Assembly in this act, and in like manner as is provided for holding elections for Members of the General Assembly; and the registrars and judges of election in the several precincts appointed to hold the election of the Members to the General Assembly for the election to be held in August, nineteen hundred, as hereinbefore provided, and biennially thereafter, shall hold the election for Members of Congress as herein provided.

How and by whom held.

Vacancies occurring in congressional representation, when special election ordered.

SEC. 61. If at any time after the expiration of any Congress, and before another election, or if at any time after an election there shall be a vacancy in the representation in Congress, the Governor shall issue a writ of election, and by proclamation shall require the voters to meet in the different townships in their respective counties at such times as may be appointed therein, and at the places established by law, then and there to vote for a Representative in Congress to fill the vacancy; and the election shall be conducted in like manner as regular elections.

Election, how conducted.

Secretary of state certifies election of congressmen and governor issues commission.

SEC. 62. Every person duly elected a Representative to Congress, upon obtaining a certificate of his election from the Secretary of State, shall procure from the Governor a commission, certifying his appointment as a Representative of the State, which the Governor shall issue on such certificate being produced.

Compensation of registrars, judges of election and other election officials.

SEC. 63. The registrar shall receive three cents for each name registered in the new registration herein ordered, and thereafter, in any revision of the registration book, he shall receive one cent for each name copied from the original registration book. Each chairman of the County Board of Elections shall be allowed one dollar and a half per day for the time actually employed, and five cents per mile for distance travelled, for making the returns for Senators, and Sheriff shall receive thirty cents for each notice he is required to serve under this act. The compensation allowed officers under this section shall be paid by the County Treasurer. Clerks and Registers of Deeds shall also be allowed the usual record and registration fees for recording or making duplicates of the election returns, to be paid by the county. The

Board of State Canvassers may employ two clerks at a compensation of four dollars per day each, during the session of the Board of State Canvassers. The members of the County Board of Elections shall each be allowed two dollars per day for each day they may be actually employed in the performance of their duties. The register and judges of election shall be entitled to one dollar each for holding the election. The election constables or bailiffs shall be entitled to one dollar per day each. And the registrar or judge of election who shall act as returning officer, shall be allowed one dollar, payable out of the county treasury: *Provided*, that the registrars shall receive in addition to the compensation herein allowed for each name registered, the sum of one dollar per day for each Saturday during the period of registration, and on which they attend at the several polling places, for the purpose of registering voters.

Additional compensation for registrars.

SEC. 64. The Governor, Secretary of State, and four members of the State Board of Elections, to be named and selected by said Board, shall constitute the Board of State Canvassers, but no member thereof shall take part in canvassing the votes for any office for which he himself is a candidate.

Board of state canvassers, who constitute.

SEC. 65. If the abstracts or returns from any county shall not be received at the office of the Secretary of State, or by the State Board of Elections, by the third Monday after the day of election, the said Secretary is authorized to obtain from the Register of Deeds, or the Board of County Elections, at the expense of such county, the original abstracts or returns, or if they have been forwarded, copies of them.

Secretary of state authorized to obtain delinquent abstracts.

SEC. 66. The Board of State Canvassers shall open the abstracts transmitted to the Secretary of State on the Thursday following the third Monday after each election held under the provisions of this act, and examine the returns, if they shall have been received from all the counties, and if not all received they may adjourn not exceeding twenty days for the purpose of obtaining the returns from all the counties, and when these are received shall proceed with the canvass; such canvass shall be conducted publicly in the hall of the House of Representatives. They shall make an abstract, stating the number of legal ballots cast for each candidate, the names of all the persons voted for, for what office they respectively received the votes, and the number of votes each received, and stating whom they ascertain and judicially determine by the count to be elected to the office, which abstract shall be signed by the Board of Canvassers in their official capacity as State Canvassers, and have the seal of the State affixed thereto: *Provided*, that in all cases of special elections ordered by the

When board of state canvassers meet and open abstracts.

Place of meeting.

Abstract to be made.

Abstract, how signed.

Special meeting in case of special congressional election, day fixed by secretary of state.

Governor to fill vacancies in the representation of the State in Congress, the Board of State Canvassers may meet as soon as the Secretary of State may notify the members of the Board that the returns from all the counties entitled to vote in said special elections have been received by him; and it shall be the duty of the Secretary of State to fix the day of meeting, which day shall not be later than ten days after such elections, and it shall be the duty of all returning officers to make their returns promptly, so that the same may be received within the ten days.

Secretary of state to record and file abstracts.

SEC. 67. The Secretary of State shall record the abstract or abstracts in a book to be kept by him for recording the result of elections, and to be called "The Election Book," and shall also file the abstract or abstracts.

State board certifies result to secretary of state, who prepares certificate of election.

SEC. 68. After the State Board of Canvassers shall have ascertained and declared the result of the elections as hereinbefore provided, they shall cause the result of the same to be certified to the Secretary of State, who shall prepare a certificate for each person elected, and shall sign the same, which certificate he shall deliver to the person elected when he shall demand the same.

State board publishes calculation for information only as to officers of executive department.

SEC. 69. The Board of State Canvassers shall estimate the votes cast for officers of the Executive Department from the abstracts forwarded to the Secretary of State, and shall publish a statement of the result of such calculation, but this statement shall be for information of the public only, and shall not have the effect to determine what candidates have been elected to such offices. Their election shall be ascertained and declared according to section three, article three, of the Constitution.

Officers commissioned by the governor.

SEC. 70. Justices of the Supreme Court, Judges of the Superior and Criminal Courts and Solicitors shall be commissioned by the Governor, and their terms of office shall begin on the first day of January next succeeding their election. An election for officers, whose terms shall be about to expire, shall always be held at the general election next preceding the expiration of their terms of office.

Term begins.

SEC. 71. Any person who shall cause or procure his name to be registered in more than one election ward or precinct, or shall cause or procure his name or that of any other person whose name he has procured to be registered [who] is not entitled to vote in the ward or election precinct wherein such registration is made, or who shall falsely personate any registered voter, shall be guilty of a crime infamous by the laws of the State, and shall be punished for every such offence by a fine not exceeding one thousand dollars or imprisonment at hard labor for a term not exceeding two years or both in the discretion of the court.

Registering in more than one precinct, or falsely personating voter, an infamous crime.

How punished.

SEC. 72. If any person be challenged as being convicted of any crime which excludes him from the right of suffrage, he shall be required to answer any questions in relation to such alleged conviction; but his answer to such questions shall not be used against him, in any criminal prosecution, but if any person so convicted shall vote at the election, without having been restored to the rights of citizenship, he shall be guilty of an infamous crime, and punished by a fine not exceeding one thousand dollars, or imprisoned at hard labor, not exceeding two years, or both.

Persons challenged as convicted of certain crimes.

SEC. 73. The judges of election shall in no case receive the vote of any person unless they shall be satisfied that such person is in all respects qualified and entitled to vote; and for the purpose of satisfying themselves as to the right of any person who shall claim a right to vote they shall have power to examine such person, and any other person or persons, under oath or affirmation touching such right. And if any judge of election shall receive, or assent to receive, the vote of any person challenged, without requiring such person to take the oath or affirmation hereinbefore prescribed, and if such person shall not be qualified and entitled to vote, such judge of election so receiving or assenting to receive such vote, shall be deemed to have received the same knowing it to be illegal.

Judges reject vote unless satisfied in all respects.

SEC. 74. That the registrar, and judges of election in each ward or precinct, the Board of County Canvassers of each county, and the Board of State Canvassers shall respectively possess full power and authority to maintain order, and to enforce obedience to their lawful commands during their sessions, respectively, and shall be constituted inferior courts for that purpose, and if any person shall refuse to obey the lawful commands of any such registrar, or judge of election, or Board of County Canvassers, or Board of State Canvassers, or by disorderly conduct in their hearing or presence shall interrupt or disturb their proceedings, they may by an order in writing, signed by their chairman, and attested by their clerk, commit the person so offending to the common jail of the county for a period not exceeding thirty days, and such order shall be executed by any Sheriff or constable to whom the same shall be delivered, or if a Sheriff or constable shall not be present, or shall refuse to act, by any other person who shall be deputed by such township or precinct Board of Elections, or Board of County Canvassers, in writing, and the keeper of such jail shall receive the person so committed and safely keep him for such time as shall be mentioned in the commitment.

Power of election officers to maintain order.

May commit to jail.

SEC. 75. That whenever any vacancies shall exist by reason of

Vacancies in certain offices, how and when filled.

death, resignation or otherwise, in any of the following offices, to-wit: Secretary of State, Auditor, Treasurer, Superintendent of Public Instruction, Attorney-General, Solicitor, Justices of the Supreme Court and Judges of the Superior Court, and other State officers not otherwise provided for, the same shall be filled by elections, to be held in the manner and places, and under the same regulations and rules as prescribed for general elections, at the next regular election for members of the General Assembly, which shall occur more than thirty days after such vacancy, except as otherwise provided for in the Constitution.

Vacancies in the general assembly.

SEC. 76. That when a vacancy occurs in the General Assembly by death, resignation or otherwise it shall be the duty of the chairman of the County Board of Elections or of the Sheriff of the county in which the late member resided, provided the General Assembly shall not be in session, to notify the Governor of such vacancy, and in case the General Assembly shall be in session when such vacancy occurs, it shall be the duty of the presiding officer in the house in which the vacancy occurs to notify the Governor of the same, who shall thereupon issue a writ of election to the chairman or chairmen of the district or county represented by the late member, said election to be held at such time as the Governor may designate, and in such manner as may be prescribed by law.

Elections called by the governor.

SEC. 77. That every election, held in pursuance of a writ from the Governor, shall be conducted in like manner as the regular biennial elections, so far as the particular case can be governed by general rules, and shall, to all intents and purposes, be as legal and valid, and subject the officers holding and the persons elected to the same penalties and liabilities as if the same had been held at the time and according to the rules and regulations prescribed for the regular biennial elections.

Gift or sale of liquor on or about any election day, a misdemeanor.

SEC. 78. That any person who shall give away or sell any intoxicating liquors, except for medical purposes, and upon the prescription of a practicing physician, at any places within five miles of the polling place, at any time within twelve hours next preceding or succeeding any public election, whether general, local or municipal, or during the holding thereof, shall be guilty of a misdemeanor, and fined not less than one hundred nor more than one thousand dollars.

Presidential elections.

SEC. 79. That on the Tuesday next after the first Monday in the month of November, in the year of our Lord one thousand nine hundred, and every four years thereafter, or on such days as the Congress of the United States shall have directed, a poll shall be opened in each of the precincts of the State for the elec-

tion of electors of President and vice-President of the United States, the number of whom is to be equal to the number of Senators and Representatives in Congress to which this State may be entitled, and the persons so chosen shall be electors for the State as aforesaid. No new registration of voters shall be necessary for the election provided in this section, or for the election of members of Congress hereinbefore provided, and the registrars and judges of election in each township, ward or precinct, appointed by the County Board of Elections for the elections to be held as hereinbefore provided on the first Thursday in August in the year of our Lord one thousand nine hundred, shall be registrars, and judges of election for the election of electors, provided in this section, and for the election of members of Congress hereinbefore provided; and said election shall be held in all respects as hereinbefore provided for the election of the Members of the General Assembly. That before the election provided for in this section, it shall be the duty of the registrars in each ward and voting precinct to revise the registration books of their respective townships, wards, or precincts, in such manner that said books shall show an accurate list of electors previously registered in such precinct, ward or township, and still residing therein, without requiring said electors to register anew. And such registrars shall, between the hours of sunrise and sunset, on each day, Sunday excepted, for five days preceding the day for closing the registration books, as hereinbefore provided, keep open said books for the registration of any electors residing in such township, ward or precinct, and entitled to registration, whose names have never before been registered in such precinct, ward or township, or do not appear on the original registration books. That said books shall be closed for registration on the second Saturday before the time fixed in this section for the election of electors, and the time hereinbefore fixed for the election of members of Congress. That the registrars shall give the same notice of time and place of registration as hereinbefore provided, and the voting place in each ward or precinct shall be the same as in elections for Members of the General Assembly, herein provided, unless changed by the County Board of Elections.

No new registration.

Election, how, and by whom conducted.

Registrars revise books.

Keep books open five days for registration.

Books closed when.

Registrars given notice.

Electoral ballot.

SEC. 80. That the names of the electors to be chosen shall be written or printed on each ballot, and each ballot shall contain the name of at least one inhabitant of each Congressional district, into which the State may be divided, and against the name of each person shall be designated the number of the Congressional district to which he belongs.

SEC. 81. That the election shall be conducted and the returns

Election and returns.

made as nearly as may be as directed in relation to the election of State officers, except as herein otherwise expressed.

County board of canvassers.

SEC. 82. That the County Board of Canvassers shall meet in the court-house of their respective counties as hereinbefore provided, and shall ascertain and determine, by faithful addition, the number of legal votes for every person who shall have been voted for as an elector within the county, and shall certify the same under their hands, in the manner and form following, to-wit:

Form of certificate.

"We the County Canvassers for county, do hereby certify that an election was held on the day and at the places fixed by law within said county, for electors of President and vice-President of the United States, and that the number of votes hereinafter specified, opposite the names of the several persons following, was given for such persons as electors for the State of North Carolina, of President and vice-President of the United States, namely, D. G. F. (here state the number of votes for D. G. F.); for J. M. L. (here state the number of votes for J. M. L., and so on until the list of persons voted for, and the number of votes shall be completed.) Given under our hands this . . . day of, in the year A. D."

Three copies made.

Three fair copies of such certificate and return shall be made by the Board of Canvassers under their hands, and one of the same shall be immediately delivered to the chairman of the County Board of Elections of the county, whose duty it shall be to attend at the meeting of said canvassers, and who shall forthwith make proclamation and read the same through at the court-house door; and the said chairman of the County Board of Elections shall immediately thereafter seal up said copy in an envelope, and transmit the same by mail, in a registered letter or otherwise, to the Secretary of State at the capital in Raleigh, so that he shall receive the same within twelve days after the day of said election; and one of said copies, together with the original precinct returns, shall be delivered to the Clerk of the Superior Court, who shall record the said copy in "The Election Book," and file the originals of said copy in his office. And one copy shall be delivered to the Register of Deeds, to be registered in his office. The Clerk of the Superior Court shall, immediately after the same shall have been delivered to him, send a copy of the certificate of the Board of County Canvassers, sealed with the seal of his office, to the Secretary of State at Raleigh, so that he may receive the same within twelve days after said election. And in case of failing to make such returns within the time herein prescribed, such chairman of the County Board of Elec-

Chairman county board of elections proclaims result.

Sends copy to secretary of state.

Original returns, to clerk of superior court. Abstract recorded.

Register of deeds' abstract recorded.

Clerk to secretary of state.

Failure to make returns.

tions, clerk or other officer whose duty it shall be so to do, shall forfeit and pay to the State the sum of five hundred dollars, to be recovered by the Attorney General, in the Superior Court for the County of Wake.

SEC. 83. That the Secretary of State, within three days after the expiration of the time hereinbefore provided for the delivery to him of said certificate and returns, shall deliver the same to the Board of State Canvassers, whose duty it shall be to then attend, in the presence of such other persons as may choose to be present, in the hall of the House of Representatives in the capitol, open the certificates and returns and proceed to canvass the same, and ascertain and determine the result: *Provided*, that if the returns from any county shall not, by that time, have been received by the Secretary of State from the chairman of the County Board of Elections or Clerk of the Superior Court, then the Board of State Canvassers shall order and compel a duplicate return from the Clerk of the Superior Court, and the chairman of the County Board of Elections, or Register of Deeds, or both, in such manner as they may think best; and for that purpose they may adjourn from day to day, not to exceed ten days. The Board of State Canvassers in canvassing said returns shall merely add up the returns, as certified by the County Board of Canvassers, but it shall be their duty to disregard any such apparent clerical error or any such technical uniformity as may not render it reasonably uncertain who was the person intended to be designated as voted for, and what was the number of votes actually received by any candidate. At the conclusion of the canvass, the Board shall make an abstract of all votes cast, and shall deliver the same to the Secretary of State, together with the original returns from the several counties to be filed in his office. The Secretary of State shall copy the said abstracts in "The Election Book," directed in this chapter to be kept in his office, and shall, under his hand and the seal of his office, certify to the Governor the names of as many persons receiving the highest number of votes for electors of President and vice-President as the State may be entitled to in the electoral college. The Governor shall thereupon immediately issue his proclamation and cause the same to be published in such daily newspapers as may be published in the city of Raleigh, wherein he shall set forth the names of the persons duly elected as electors, and warn each of them to attend at the capitol in the city of Raleigh, at noon, on the Tuesday preceding the first Wednesday of December next after his election, at which time the said electors shall meet, and in case of the absence or ineligibility of any elector chosen, or if

Secretary of state
to state canvassers.

Delinquent re-
turns, how ob-
tained.

Canvass of returns.

Original returns
and abstract, to
secretary of state.

Result certified by
secretary of state
to the governor.

Proclamation by
the governor, and
meeting of
electors.

the proper number of electors shall for any cause be deficient, those present shall forthwith elect from the citizens of the State so many persons as will supply the deficiency, and the persons so chosen shall be electors to vote for the President and vice-President of the United States. And the Governor shall, on or before the first Wednesday in December, make out three lists of the names of the said eleven persons so elected and appointed electors, and cause the same to be delivered to them, as directed by the act of Congress.

Meeting of electors.

SEC. 84. That the persons elected and appointed as electors of the President and vice-President of the United States, shall assemble on the said first Wednesday in December, at the capitol in the city of Raleigh, and then and there give their votes on behalf of the State of North Carolina for President and vice-President of the United States, and proceed in relation thereto in all things conformably to the Constitution of the United States and the act of Congress in that behalf.

Presidential and vice-presidential vacancy, election ordered by governor.

SEC. 85. That whenever the offices of President and vice-President of the United States shall both become vacant, the Governor, upon receiving a notification of such vacancy from the Secretary of State of the United States, shall forthwith issue his proclamation directing the Sheriffs of the several counties, and the County Boards of Elections or other proper officers, to hold elections within their respective counties for the appointment of electors of President and vice-President of the United States, on the days of the year in which such vacancy may happen, as is herein prescribed for holding the regular and stated elections: *Provided*, that there shall be a space of two months between the date of such notification and the said first Wednesday of December; but if there should not be such space, the Governor shall specify in his proclamation that the electors shall be elected in the year next ensuing the date of such notification, on the day aforesaid; and the electors appointed, in the manner by this section directed, shall meet at the capitol, in the city of Raleigh, and proceed, as hereinbefore provided for electors of President and vice-President chosen at a regular election for the same.

Electors failing to attend, forfeit.

SEC. 86. That each elector, with his own consent previously signified, failing to attend and vote for a President and vice-President of the United States, at the time and place herein directed (except in case of sickness or other unavoidable accident), shall forfeit and pay to the State five hundred dollars, to be recovered by the Attorney-General in the Superior Court of Wake County. And any person making, or certifying, or delivering or transmitting a false return of an election, held hereunder, or making any erasure or alteration in the poll books, shall be

False returns, infamous crime.

guilty of an infamous crime, and imprisoned not less than one year, and shall in addition forfeit and pay five hundred dollars, one-half to the use of the person who will sue for the same, and the other half to the use of the State. Any officer who shall refuse to permit any candidate, or person qualified to vote, at his own expense, to have a copy of the poll books, shall forfeit and pay two hundred dollars, one-half to the person who shall sue for the same, and the other half to the use of the State. Any Register of Deeds, or Clerk of the Superior Court, who shall refuse to make and give to any person a duly certified copy of the returns of an election, or of a tabulated statement of an election hereinbefore directed to be deposited in his office, upon the tender of the fees therefor, shall be guilty of a misdemeanor, and upon conviction, ousted out of his office and imprisoned for one year: *Provided*, that giving a copy of the poll books shall not interfere in any way with the duties of the officer required by this act to furnish said copy as above provided.

Officer may not refuse copy of poll-books, returns, or other record.

Misdemeanor.

Proviso.

SEC. 87. That the electors shall be allowed for their traveling expenses to and from the city of Raleigh and their attendance, the same compensation as may be allowed members of the General Assembly, and shall be entitled to the same privileges.

Compensation of electors.

SEC. 88. That upon any application being made or any action or proceeding of any kind commenced or had, before any Judge of any court in this State, for a mandamus or order in the nature of a mandamus, injunction, restraining order, or order in the nature thereof, to compel, prevent, prohibit or restrain the performance of any act in respect to his duties against any officer or officers provided for in this act, the matters stated in the affidavit, petition or complaint, upon which such application is based or action or proceeding had, shall be taken and deemed to be denied, and no such Judge shall issue any such order, temporary or otherwise, until the facts have been submitted to and found by a jury at a regular term of the Superior Court of the county in which such officer resides. No such order shall be made or issued upon any case agreed, or upon facts found by a jury at a special term.

Application for mandamus, injunction, or restraining order deemed denied until facts found by jury at regular term.

No case agreed.

SEC. 89. That when a jury has found the facts, and any Judge shall issue a mandamus or order in the nature of a mandamus, injunction or restraining order, or other order in the nature thereof, to compel, prevent, restrain or prohibit the performance of any act in respect to his duties against any officer or officers provided for in this act, such officer or officers shall have the right to appeal from such order to the Supreme Court, upon giving bond in a sum not to exceed the sum of one hundred dollars conditioned to pay to appellee all such costs and damages as may accrue by reason of such appeal. The said bond shall be received and approved by the Clerk of the Superior Court. A

Facts found and order issued, right of appeal to Supreme Court.

Bond approved by clerk of Superior Court.

Money in lieu of bond, Bond filed, order vacated until Supreme Court affirms.

deposit of money of the amount of the penal sum named in such bond shall be received by the clerk in lieu of such bond. And upon filing such bond or making such deposit, such order shall be vacated until affirmed by the Supreme Court, and until so affirmed the election officer shall proceed to perform the duties imposed by this act notwithstanding such order.

Conflicting laws repealed.

SEC. 90. That all laws and clauses of laws in conflict with this act are hereby repealed, and the law regulating elections as contained in this act shall be construed as above and not in connection with any existing provision of law for regulation of elections.

SEC. 91. That this act shall be in force from and after its ratification.

In the General Assembly read three times and ratified this 13th day of June, 1900.

CHAPTER 2.

An act supplemental to an act entitled "An act to amend the constitution of North Carolina," ratified February twenty-first, eighteen hundred and ninety-nine, the same being chapter two hundred and eighteen of the public laws of eighteen hundred and ninety-nine.

The General Assembly of North Carolina do enact:

Amends chapter 218 Public Laws of 1899.

SECTION I. That Chapter 218, Public Laws of 1899, entitled "An Act to Amend the Constitution of North Carolina," be amended so as to make said Act read as follows:

Article VI abrogated.

That Article six of the Constitution of North Carolina be and the same is hereby abrogated, and in lieu thereof shall be substituted the following Article of said Constitution, as an entire and indivisible plan of suffrage.

ARTICLE VI.

Substitute for Act VI.

SUFFRAGE AND ELIGIBILITY TO OFFICE.

Who may vote.

(SECTION 1.) Every male person born in the United States, and every male person who has been naturalized, twenty-one years of age, and possessing the qualifications set out in this Article, shall be entitled to vote at any election by the people in the State, except as herein otherwise provided.

Qualifications of voters.

(SEC. 2.) He shall have resided in the State of North Carolina for two years, in the county six months, and in the precinct, ward or other election district, in which he offers to vote, four months

- next preceding the election: *Provided*, that removal from one precinct, ward or other election district, to another in the same county, shall not operate to deprive any person of the right to vote in the precinct, ward or other election district from which he has removed until four months after such removal. No person who has been convicted, or who has confessed his guilt in open court upon indictment, of any crime, the punishment of which now is, or may hereafter be, imprisonment in the State's Prison, shall be permitted to vote, unless the said person shall be first restored to citizenship in the manner prescribed by law. Proviso.
- (SEC. 3.) Every person offering to vote shall be at the time a legally registered voter as herein prescribed, and in the manner hereafter provided by law, and the General Assembly of North Carolina shall enact general registration laws to carry into effect the provisions of this Article. Who shall not vote.
- (SEC. 4.) Every person presenting himself for registration shall be able to read and write any section of the Constitution in the English language; and before he shall be entitled to vote, he shall have paid on or before the first day of May, of the year in which he proposes to vote, his poll tax for the previous year, as prescribed by Article V, Section 1, of the Constitution. But no male person, who was, on January 1, 1867, or at any time prior thereto, entitled to vote under the laws of any State in the United States wherein he then resided, and no lineal descendant of any such person shall be denied the right to register and vote at any election in this State by reason of his failure to possess the educational qualifications herein prescribed: *Provided*, he shall have registered in accordance with the terms of this section prior to December 1, 1908. Condition.
- The General Assembly shall provide for the registration of all persons entitled to vote without the educational qualifications herein prescribed, and shall, on or before November 1, 1908, provide for the making of a permanent record of such registration, and all persons so registered shall forever thereafter have the right to vote in all elections by the people in this State, unless disqualified under Section 2, of this Article: *Provided*, such person shall have paid his poll tax as above required. Voter to be registered.
- (SEC. 5.) That this amendment to the Constitution is presented and adopted as one indivisible plan for the regulation of the suffrage, with the intent and purpose to so connect the different parts, and to make them so dependent upon each other, that the whole shall stand or fall together. General Assembly to enact general registration laws.
- (SEC. 6.) All elections by the people shall be by ballot, and all elections by the General Assembly shall be *viva voce*. Qualifications for registration.
- The General Assembly shall enact general registration laws to carry into effect the provisions of this Article. Proviso.
- Persons so registered have right to vote, if otherwise qualified. Permanent record of certain persons registering prior to December 1, 1908.
- Persons so registered have right to vote, if otherwise qualified. Proviso.
- Indivisible plan, the legislative intent. Proviso.
- Popular election by ballot; Legislative *viva voce*.

Eligibility to office.

(SEC. 7.) Every voter in North Carolina, except as in this Article disqualified, shall be eligible to office, but before entering upon the duties of the office, he shall take and subscribe the following oath:

Official oath.

"I,, do solemnly swear (or affirm) that I will support and maintain the Constitution and laws of the United States, and the Constitution and laws of North Carolina, not inconsistent therewith, and that I will faithfully discharge the duties of my office, as So help me God."

Disqualifications for office.

(SEC. 8.) The following classes of persons shall be disqualified for office: *First*, all persons who shall deny the being of Almighty God. *Second*, all persons who shall have been convicted, or confessed their guilt on indictment pending, and whether sentenced or not, or under judgment suspended, of any treason or felony, or of any other crime, for which the punishment may be imprisonment in the penitentiary, since becoming citizens of the United States, or of corruption or mal-practice in office; unless such person shall be restored to the rights of citizenship in a manner prescribed by law.

Amendment effective July 1, 1902.

(SEC. 9.) That this amendment to the Constitution shall go into effect on the first day of July, Nineteen Hundred and Two, if a majority of votes cast at the next general election shall be cast in favor of this suffrage amendment.

Condition.

Amendment submitted at August election, 1900.

SECTION II. This amendment to the Constitution shall be submitted at the next general election to the qualified voters of the State, in the same manner and under the same rules and regulations as is provided in the law regulating general elections in this State, and at said elections those persons desiring to vote for such amendment shall cast a written or printed ballot with the words: "For Suffrage Amendment" thereon; and those with a contrary opinion shall cast a written or printed ballot with the words "Against Suffrage Amendment" thereon.

Form of ballots.

Result of election, how determined and declared.

SECTION III. The votes cast at said election shall be counted, compared, returned and canvassed, and the result announced and declared under the same rules and regulations, and in the same manner as the vote for Governor, and if a majority of the votes cast are in favor of the said amendment, it shall be the duty of the Governor of the State, upon being notified of the result of said election, to certify said amendment under the seal of the State, to the Secretary of State, who shall enroll the said amendment, so certified, among the permanent records of his office.

Duty of Governor and of Secretary of State.

SECTION IV. That this Act shall be in force from and after its ratification.

In the General Assembly read three times, and ratified this 13th day of June, 1900.

CHAPTER 3.

An act to regulate the manufacture and sale of spirituous liquors in Macon county.

The General Assembly of North Carolina do enact:

SECTION 1. That it shall be unlawful to manufacture, sell or otherwise dispose of spirituous or intoxicating liquors in Macon County: *Provided*, nothing in this Act shall prohibit any licensed druggist from selling spirituous or intoxicating liquors upon the prescription of a regularly licensed and practicing physician, as hereinafter prescribed.

Unlawful to manufacture or sell liquors.

Druggists may sell upon the prescription of a physician.

SEC. 2. Any person, firm or corporation, who shall manufacture any spirituous, malt or intoxicating liquors in Macon County shall be guilty of a misdemeanor, and upon conviction, shall be fined or imprisoned, or both, at the discretion of the Court.

Misdemeanor to manufacture liquors.

SEC. 3. Any person, firm or corporation who shall sell or otherwise dispose of spirituous or intoxicating liquors contrary to this Act, shall be guilty of a misdemeanor, and upon conviction shall be fined or imprisoned, or both, in the discretion of the Court.

Misdemeanor to sell liquors.

SEC. 4. Every physician who shall give a prescription for spirituous or intoxicating liquors, except for medical purposes, and without the sworn statement of the person applying for such prescription to the effect that the spirituous or intoxicating liquors to be obtained upon such prescription are applied for in good faith for medical purposes, and none other, such physician shall be guilty of a misdemeanor, and fined or imprisoned, in the discretion of the Court. Every druggist who shall sell any spirituous, vinous, or malt liquors, shall in each case require the sworn and signed statement to be upon or accompany each prescription, and upon failure to do so, shall be guilty of a misdemeanor, and fined in the discretion of the Court. Every prescription with the oath shall be filed by the druggist, who shall not duplicate the same.

Misdemeanor to give prescription without sworn statement.

Misdemeanor to sell without sworn statement.

SEC. 5. The physicians who are qualified and permitted under this Act to give prescriptions are hereby authorized and empowered to administer oaths in case of applicants for prescriptions for spirituous or intoxicating liquors, and the oath to be administered by them and signed by the person taking it, shall be in substance, as follows: "I,, do solemnly swear (or affirm) that the spirituous or intoxicating liquors applied for by me this day under this prescription, are to be used in good faith for medical purposes and none other."

Physicians allowed to administer oaths.

Form of oath.

SEC. 6. This Act shall not be in force nor take effect until ratified by the qualified voters of Macon County, at an election to be held on the first Monday in December, 1900, under the same rules and regulations as elections held for members of the General Assembly. Those wishing to vote for the ratification of this Act shall vote a written or printed ticket with the words "For Ratification," and those wishing to vote against the ratification of this Act shall vote a printed or written ticket with the words "Against Ratification." If a majority of the votes cast shall be for ratification, then this Act shall be in full force and effect, but if a majority of the votes cast shall be against ratification, then this Act shall be null and void, and of no effect.

In the General Assembly of North Carolina read three times, and ratified this 14th day of June, 1900.

Act to be voted
on 1st Monday
in December, 1900.

Form of ballot.

Act of no effect
unless ratified by
a majority of
votes cast.

CHAPTER 4.

An act to establish graded schools for the town of Lexington, North Carolina.

The General Assembly of North Carolina do enact:

SECTION 1. That the territory embraced within the corporate limits of the town of Lexington, Davidson County, shall be and is hereby constituted the "Lexington Graded School District for White and Colored."

SEC. 2. That the Commissioners of the town of Lexington, Davidson County, are hereby authorized and empowered to submit to the qualified voters of said town, at the next election to be held in May for the election of Mayor and other officers of the town, and at any regular election to be held for the election of Mayor and other town officers, the question, "Whether an annual tax shall be levied for the support of the graded schools of said town?"

SEC. 3. That at the election held under the provisions of this Act, those favoring the levying of such a tax shall vote a written or printed ballot, without device, with the words, "For Schools," upon it, and those opposed to the levying of such a tax shall vote a written or printed ballot having the words "Against Schools" upon it.

SEC. 4. That at said election there shall be voted for by the qualified voters of said town six school commissioners, who shall

Lexington school
district.

Commissioners
of Lexington to
submit the ques-
tion of annual
tax for Graded
Schools.

Form of ballot.

School Commis-
sioners to be
elected.

be citizens of such town, and qualified to fill the office of commissioner of the town.

SEC. 5. That the votes "For Schools" and "Against Schools," and for school commissioners, shall be canvassed in the manner provided in the charter of the town for canvassing votes for Mayor and other town officers.

How votes canvassed.

SEC. 6. That if a majority of said qualified voters shall vote at said election "For Schools," it shall be the duty of the Commissioners of said town, and their successors, to levy annually a special tax, not to exceed thirty cents on the hundred dollars valuation upon all property of said town liable to taxation, and upon the polls not exceeding ninety cents; and said taxes shall be collected annually by the Tax Collector as other town taxes are collected.

How special tax levied and collected.

SEC. 7. That said taxes shall be paid over by the Tax Collector to the Treasurer of said town, who shall keep the school funds separate from other money in his hands, and shall pay out the same only upon the order or warrant signed by a majority of the School Commissioners of said town.

Town Treasurer to receive taxes.

School funds to be kept separate.

How paid out.

SEC. 8. That of the School Commissioners elected as aforesaid two shall serve for one year, two for two years, and two for three years, their terms to be determined by the Commissioners of said town at its first meeting after their election, which determination shall be made by lot, and there shall be elected annually thereafter at the regular election of municipal officers for said town, two School Commissioners to succeed those whose terms then expire.

Terms of commissioners.

Terms fixed by lot.

Two commissioners elected annually.

SEC. 9. That it shall be the duty of said School Commissioners to establish graded schools in said town, one for white children and one for colored children, and to appropriate the funds derived from said special taxes and from all other sources, for the maintenance of said schools so as to equalize the school facilities between the races.

Commissioners establish graded schools for both races and equalize school facilities.

SEC. 10. That said School Commissioners shall have power to fill all vacancies in their number, employ teachers, purchase or build school houses, and do all such acts as may be necessary to carry on said graded schools.

Powers of commissioners.

SEC. 11. That the Town Commissioners of said town are hereby authorized and empowered to submit at any regular election held for the election of Mayor and other officers of said town, to the qualified voters of said town the question, "Whether said town shall issue bonds not to exceed four thousand dollars, for graded school buildings."

Town commissioners submit question of bonds for school buildings.

SEC. 12. That at such election those favoring issuing such bonds shall vote a written or printed ballot, without device, hav-

Form of ballot.

ing on it, "For Bonds," and those opposed to such issue shall vote a written or printed ballot, having on it the words "Against Bonds;" said ballots shall be canvassed as are votes for Mayor and other town officers.

How canvassed.

Town commissioners authorized to issue bonds for \$5,000.

SEC. 13. That if at such election a majority of the qualified voters of said town shall vote "For Bonds" it shall be the duty of the Commissioners of said town to issue its bonds not to exceed four thousand dollars, to be denominated Graded School Bonds, and to bear interest not to exceed six per cent per annum, and to run for not less than ten nor more than thirty years; the proceeds whereof shall be turned over to the Treasurer of said town to be used by said School Commissioners for the purchase or erection of graded school houses or the repair thereof; the interest on said bonds to be paid out of the special tax levied under this Act for the support of graded schools.

Bonds, interest on.

Funds used for graded school houses.

Interest, how paid.

General public school funds used for support of graded schools.

SEC. 14. That the public school money which may be from time to time collected and apportioned under the general law for the children of said town for general school purposes, shall be applied to keeping up said graded schools under the direction and supervision of said School Commissioners.

Pupils outside town attend by paying tuition.

SEC. 15. That said School Commissioners may provide for pupils outside said town to attend said school upon paying tuition to be fixed by said School Commissioners.

Public school property the property of graded schools.

SEC. 16. That all property, both real and personal, of the public schools within said town shall become the property of said graded schools, and shall be vested in said School Commissioners in trust for the graded schools: *Provided*, that in the event said graded schools shall be discontinued, the said property shall become the property of the public schools of said town, the property of the white school to go to public schools for whites, and property of colored school going to public school for colored children.

Should graded schools be discontinued property to go back to public schools.

Conflicting laws repealed.

SEC. 17. That all laws and clauses of laws in conflict with this Act are hereby repealed.

SEC. 18. That this Act shall be in force and effect from and after its ratification.

In the General Assembly read three times, and ratified this 14th day of June 1900.

CHAPTER 5.

An act to direct the commissioners of Edgecombe county to draw a jury list.

The General Assembly of North Carolina do enact:

SECTION 1. That the Commissioners of Edgecombe County are hereby authorized and directed to meet on the first Monday in July, 1900, and proceed to draw a jury list for said county in the manner prescribed by law.

Commissioners authorized to draw jury list 1st Monday in July 1900.

SEC. 2. This Act shall be in force from and after its ratification.

In the General Assembly read three times, and ratified this 14th day of June, A. D., 1900.

CHAPTER 6.

An act to amend the Western District Criminal Court.

The General Assembly of North Carolina do enact:

SECTION 1. That Chapter 75, of the Public Laws of 1895, Chapters 6 and 7, of the Public Laws of 1897, and Chapter 371, of the Public Laws of 1899, and all Acts amending said laws, and all other Acts establishing Criminal Courts in the counties of Buncombe, Madison, Yancey, Haywood and Burke be and the same are hereby repealed in so far only as they apply to said counties.

All laws establishing criminal courts in the counties of Buncombe, Madison, Yancey, Haywood and Burke repealed.

SEC. 2. That all proceedings in the Western District Criminal Courts of said above-named counties of any kind or nature whatsoever, and all process returnable to said courts, be and the same are hereby transferred to the Superior Courts of said counties respectively, and the Clerks of the Western District Criminal Courts in each of the said counties are directed to make such transfer of the said proceedings as will carry this Act into effect, and to deliver all papers and records pertaining to said proceedings to the Clerks of the Superior Courts of their respective counties, and all persons under bond or recognized to appear at the next term of said Criminal Courts, shall appear at the next term of the Superior Court of their counties, or their default shall be entered.

Proceedings in the criminal courts transferred to the Superior Courts in certain counties.

SEC. 3. That the Superior Courts of the above-named counties shall have exclusive jurisdiction of all criminal matters within

Superior Courts have exclusive jurisdiction of criminal matters.

their counties of which said Western District Courts have heretofore had jurisdiction.

Surry county placed in Western Criminal District.

SEC. 4. That Section 5, of Chapter 594, of the Acts of 1899, is hereby repealed, and Chapter 371, of the Acts of 1899, is hereby re-enacted as to Surry County, and Surry County is hereby placed in the Western District Criminal Court, subject to the provisions set forth in said Act, Chapter 371, laws of 1899.

To what court justices of the peace shall bind in certain counties.

SEC. 5. That it shall be the duty of all the Justices of the Peace in the counties of Yancey, Haywood, Caldwell, Burke, Forsyth and Surry to bind all criminals in cases where they have no final jurisdiction, to the Criminal Court of the county, and not to the Superior Court.

Appeals from Criminal Court to Superior Court.

SEC. 6. That an appeal in matters of law shall be from the Western District Criminal Courts to the Superior Court of said counties.

When act takes effect and in what counties.

SEC. 7. That this Act shall be in force and effect from and after its ratification as it applies to the counties of Buncombe, Madison and Surry, and shall be in effect after January, 1, 1901, as it applies to the counties of Yancey, Haywood and Burke.

In the General Assembly read three times, and ratified this 14th day of June, 1900.

CHAPTER 7.

An act to pay Eugene C. Beddingfield the salary for the time he served as corporation commissioner.

The General Assembly of North Carolina do enact:

Auditor authorized to issue warrant to Eugene C. Beddingfield for \$1,266.64.

SECTION 1. That the Auditor is hereby directed to issue a warrant in favor of Eugene C. Beddingfield for the sum of one thousand two hundred and sixty-six and sixty-four one-hundredth dollars (\$1,266.64), the amount of his salary as a Corporation Commissioner, for the time he served; and the Treasurer is directed upon presentation, to pay the same out of any moneys in the Treasury not otherwise appropriated.

Treasurer directed to pay warrant.

SEC. 2. This Act shall be in force from its ratification.

In the General Assembly read three times and ratified this 14th day of June, A. D., 1900.

CHAPTER 8.

An act to abolish the office of county treasurer in Henderson county.

The General Assembly of North Carolina do enact:

SECTION 1. That the office of County Treasurer in Henderson County is hereby abolished.

SEC. 2. That all the duties and liabilities attached to the office of Treasurer shall devolve upon the Tax Collector, who shall be ex-officio County Treasurer, as applicable in Henderson County: *Provided*, that the Tax Collector shall receive compensation for his duties as Tax Collector as allowed by law, but shall receive nothing extra on account of being ex-officio County Treasurer.

Tax collector made *ex officio* County Treasurer.

Receives no compensation for performing the duties of Treasurer.

SEC. 3. That this Act shall take effect on and after December 1, 1900.

When effective.

In the General Assembly read three times, and ratified this 14th day of June, A. D., 1900.

CHAPTER 9.

An act for the relief of certain teachers and the treasurer of Craven county.

The General Assembly of North Carolina do enact:

SECTION 1. That the County Board of School Directors of Craven County and their Treasurer be and they are hereby directed to pay off all unpaid outstanding legal vouchers issued to teachers for services rendered in the school years 1898-9 and 1899-1900, and to pay all overpayments made by Thomas Daniels, Treasurer, on such vouchers for said years, and may pay interest on the same.

School directors and treasurer to pay teachers for services rendered in 1898-9-1900.

Over payments made by Thos. Daniels, Treasurer.

May pay interest.

SEC. 2. That they may cause them to be paid in one year, or may order them paid in equal installments for two or three years.

In one year or in installments.

SEC. 3. That in case the payments are ordered to be made in installments for two or three years the vouchers shall bear interest from their respective dates.

Vouchers draw interest.

SEC. 4. That the amounts paid on said vouchers shall be as nearly as may be practicable, deducted from the funds to be apportioned to the respective districts for which the vouchers were issued.

Amounts deducted from apportionments to respective districts.

SEC. 5. That this Act shall be in force from and after its ratification.

In the General Assembly read three times, and ratified this 14th day of June, 1900.

CHAPTER 10.

An act to be entitled an act supplemental to and amendatory of an act entitled "An act to provide for the assessment of property and the collection of taxes," it being chapter (15) fifteen of the public laws of eighteen hundred and ninety-nine.

The General Assembly of North Carolina do enact:

Corporation Commission given power to assess railroad property.

SECTION 1. That Section 42, of Chapter 15, of the Public Laws of 1899, be amended by striking out all of said section after the word "of" in line two down to the word "shall" in line four, and inserting in lieu thereof the words "An Act to establish the North Carolina Corporation Commission."

Section 45 of chapter 15 amended.

SEC. 2. That Section forty-five (45) of said Chapter 15 be amended by striking out all after the word "property" in line two thereof down to the word "as" in line six thereof.

SEC. 3. This Act shall be in force from and after its ratification.

In the General Assembly read three times, and ratified this 14th day of June, 1900.

CHAPTER 11.

An act to submit the question of dispensary or no dispensary to the qualified voters of Swain county at the coming November election, and to prohibit the manufacture of spirituous liquors in said county.

The General Assembly of North Carolina do enact:

Question submitted at the November election.

SECTION 1. That the question of dispensary or no dispensary shall be submitted to the qualified voters of Swain County at the coming November election, and if a majority of votes cast at said election shall be for the dispensary, then the said dispensary in Swain County shall continue to run under existing laws, but

if a majority of said votes cast at said election shall be against the dispensary, then the same shall be discontinued, and if said dispensary be discontinued then Dispensary Commissioners after the vote of discontinuance is ascertained, shall have sixty days to wind up and settle the affairs of the same.

Sixty days to wind up the business.

SEC. 2. That hereafter all moneys going to the town of Bryson City by virtue of the Act creating said dispensary shall be used for educational purposes in said town of Bryson City, under direction of the school authorities for said county, and the Dispensary Commissioners shall turn over said fund to the Treasurer of said town, who shall use the same in payment of drafts for educational purposes, and when properly signed by the authorities who disburse the public school fund of Swain County.

Profits go to public school fund.

Dispensary commissioners to turn over funds to school authorities

SEC. 3. That it shall be unlawful for any person or persons, firm or firms, corporation or corporations, to make or manufacture or cause to be made or manufactured any spirituous liquors in Swain County.

Unlawful to manufacture spirituous liquors in Swain county.

SEC. 4. Any person or persons, firm or firms, corporation or corporations, violating the provisions of the preceding section shall be guilty of a misdemeanor, and fined or imprisoned, or both, at the discretion of the Court.

Misdemeanor to violate the provisions of the preceding section.

SEC. 5. That all persons voting upon the question of dispensary or no dispensary as provided for in Section 1 of this Act, shall prepare their ballots as follows: Those voting in favor of the dispensary shall have written or printed on their ballot the words, "For Dispensary," those opposed, "Against Dispensary."

Form of ballot.

SEC. 6. This Act shall be in force and effect from and after its ratification.

In the General Assembly read three times, and ratified this 14th day of June, 1900.

CHAPTER 12.

An act in regard to printing senate and house journals and public and private laws.

The General Assembly of North Carolina do enact:

SECTION 1. That the Commissioner of Labor and Printing be and he is hereby required and directed to print and bind the Journals of the Senate and House, of this adjourned session in one volume, and the Public and Private Laws in one volume,

Public and Private Laws in one volume, and House and Senate Journals in one volume.

Conflicting laws repealed.

SEC. 2. That all laws and clauses of laws in conflict with this Act are hereby repealed.

SEC. 3. That this Act shall be in force from and after its ratification.

In the General Assembly read three times, and ratified this 14th day of June, 1900.

CHAPTER 13.

An act to amend chapter three hundred and twenty-five of the public laws of eighteen hundred and ninety-nine.

The General Assembly of North Carolina do enact:

Chapter 325, Public Laws 1899, Macon county dispensary act.

SECTION 1. That Chapter three hundred and twenty-five (325), Public Laws of one thousand eight hundred and ninety-nine (1899), be and the same is hereby amended as follows: By striking out all of Section 1, of said Chapter, after the word "imprisoned" in line four down to and including the word "court" in line ten thereof.

"Clerk of the court of Macon county" substituted for "Mayor and Board of Aldermen of said town."

SEC. 2. That Section two (2), of said Chapter, be and the same is hereby amended by striking out the words "Mayor and Board of Aldermen of said town" wherever they occur in said Section, and insert in lieu thereof the words "Clerk of the Court of Macon County."

Section 3 amended.

SEC. 3. That Section 3, of said Chapter, be and the same is hereby amended by striking out in lines three and four of said Section, the words "and cause the same to be securely sealed."

Amends section 4.

SEC. 4. That said Chapter be and is hereby further amended by striking out in the last two lines of Section 4 thereof, the words "as any other official bonds of the county," and inserting in lieu thereof the words "by the Board of Dispensary Commissioners," and if they knowingly approve any other than a bond sufficient as well in amount as in the ability of the sureties they shall be guilty of a misdemeanor.

Misdemeanor to knowingly approve insufficient bond.

Section 5 amended.

SEC. 5. That Section five (5) of said Chapter be amended by striking out the word "sealed" in line five thereof.

Substitute for section 11.

SEC. 6. That said Chapter be and is hereby further amended by striking out Section eleven (11) thereof, and inserting in lieu thereof the following, which shall be known as Section 11: Any person who shall purchase or obtain in any way liquor at

said dispensary for any minor or intoxicated person, such person shall be guilty of a misdemeanor, and fined or imprisoned, at the discretion of the Court.

Misdemeanor to obtain liquor for minor or intoxicated person.

SEC. 7. That said Chapter 325, of the Public Laws of 1899, be and the same is hereby further amended by striking out Section twelve (12) of said Chapter.

Strikes out section 12 of the act of 1899.

SEC. 8. That said Chapter be further amended by striking out all of Section fourteen (14) thereof after the words "shall be" in line six of said section, and inserting in lieu thereof the words "Applied to the free school fund of the county of Macon, and apportioned among the various townships of the county as other school funds on the basis of school population."

Profits to go to the free school fund.

SEC. 9. That said Chapter 325, Public Laws 1899, be further amended by striking out all of Section fifteen (15) of said Chapter after the word "services" in line eight (8) thereof, and inserting in lieu thereof the words "the sum of fifty dollars (\$50) per year."

Dispensary commissioners to receive \$50 per year.

SEC. 10. This Act shall be in force from and after its ratification.

In the General Assembly read three times, and ratified this 14th day of June, A. D., 1900.

CHAPTER 14.

An act to establish a stock law in certain portions of Jackson's, Bailey's and Terrell's townships in Nash county.

The General Assembly of North Carolina do enact:

SECTION 1. That from and after the passage of this Act, no person shall allow his or her live stock to run at large in that part of Nash County embraced in the following boundaries:

Unlawful for stock to run at large in certain portion of Nash county.

Beginning at the stock-law fence near the old Frazier place on the Louisburg road, thence south along the new road to the old Raleigh and Tarborough road near W. H. Murray's, thence along the Wilson road to the big path leading to Stony Hill (excluding all the lands of W. H. Murray thus embraced, except his Wiggins tract); thence along said big path to the Opossum road, near Bissett's gin, including the lands of Eli Ellis, and excluding all the lands of McD. Bissett east of said line; thence down the Opossum road to Miles Bissett's, thence the Kenly road to

Territory defined.

the southwest corner of V. A. J. Glover's Stott farm (excluding the lands of W. D. Brown, and including the tract of land whereon Thomas Boswell now lives); thence east along said V. A. J. Glover's line to his southwest corner; thence a straight line to Bailey's school house, on the Smithfield road; thence along the new Wilson road to the big path leading by Noel Eatman's (excluding the residence of G. Stott); thence along said big path to the Wilson road at A. R. Beard's; thence with said road to the new road near S. E. Sanders; thence down said road to the Smithfield and Nashville road at T. R. Lamb's place (excluding the residence of Levi Bunn, and including the residence of W. R. Wilson); thence the Smithfield and Nashville road to Strickland's Bridge on Tar River (excluding the residence of Lawrence Williams).

Chap. 20, Vol. 2,
of The Code to
apply to this
territory.

SEC. 2. That Chapter 20, Volume 2, of The Code, so far as it applies to stock-law territories, shall apply to the territory herein described.

Commissioners
appointed.

SEC. 3. That J. M. Baines, I. F. Finch, and M. N. Bissett be and they are hereby appointed fence commissioners in said territories, whose duty it shall be to cause said territory to be immediately fenced as is required by law.

Territory fenced.

Commissioners
to fill vacancies.

SEC. 4. That said Fence Commissioners shall from time to time fill such vacancies as occur by death, resignation or otherwise, in their body.

Duties of com-
missioners.

SEC. 5. That said Fence Commissioners shall do and perform all such acts and things as shall be necessary to comply with this Act, and as Fence Commissioners of any other fence-law territory have a right to do and perform.

SEC. 6. That this Act shall be in full force from and after its ratification.

In the General Assembly read three times, and ratified this 14th day of June, 1900.

CHAPTER 15.

An act to pay certain claims to persons for services rendered the state in the interest of the shell fish industry of North Carolina.

The General Assembly of North Carolina do enact:

Treasurer direct-
ed to pay certain
amounts to vari-
ous persons.

SECTION 1. That the public Treasurer of the State of North Carolina be and he is hereby authorized and directed to pay out

of any money in the Treasury belonging to the Shell-Fish Funds the amounts set forth in this Act as follows:

To R. W. Wallace as per bills rendered.....	\$307.20	Amounts and to whom payable.
To Jas. Clayton as per bills rendered.....	388.70	
To D. B. Hooker as per bills rendered.....	303.60	
To D. L. Roberts as per bills rendered.....	300.00	
To B. D. Scarboro as per bills rendered.....	315.00	
To C. C. Allen as per bills rendered.....	371.50	
To Geo. H. Hill as per bills rendered.....	310.00	
To D. W. Morton as per bills rendered.....	127.77	
To J. M. Harris as per bills rendered.....	133.33	
To J. F. Sumrell as per bills rendered.....	52.96	
To E. B. Ellis as per bills rendered.....	16.70	
To M. P. Royal as per bills rendered.....	44.44	
To Robertson Bros., as per bills rendered.....	22.88	
To steamer Lily's crew as per bills rendered.....	576.78	
To Fred. L. Latham as per bills rendered.....	33.33	
To Frank Lacroft as per bills rendered.....	16.66	
To E. R. Fowle & Son as per bills rendered.....	10.51	
To G. M. Scott as per bills rendered.....	18.16	
To C. Lupton as per bills rendered.....	2.00	
To C. L. Williams as per bills rendered.....	5.55	
To J. Harris as per bills rendered.....	15.00	
To S. Garrish as per bills rendered.....	27.70	
To W. E. Hooker as per bills rendered.....	14.50	
To D. L. Ward as per bills rendered.....	50.00	
To L. J. Moore as per bills rendered.....	20.00	
To E. H. Williams, Jr., as per bills rendered.....	33.00	
To Pond, Ward & D. Gerard as per bills rendered.....	200.00	
To C. C. Allen as per bills rendered.....	3.07	

SEC. 2. That the Auditor of the State be and he is hereby authorized and directed to draw his warrant upon the said Auditor directed Treasurer in favor of each of the persons for the amount to draw warrants. directed to be paid in Section first of this Act.

SEC. 3. That the said Treasurer is hereby authorized to pay Treasurer authorized the whole amounts as set forth in Section first of this Act to to pay whole amount to C. C. C. C. Allen, Elizabeth City, N. C., who will properly distribute Allen. the same.

SEC. 4. That all laws in conflict with this Act be and the same Conflicting laws are hereby repealed. repealed.

SEC. 5. That this Act shall be in force from and after its ratification.

In the General Assembly read three times, and ratified this 14th day of June, 1900.

CHAPTER 16.

An act to enable the commissioners of Onslow county to use a surplus special tax fund for county purposes.

The General Assembly of North Carolina do enact:

SECTION 1. That the County Commissioners of Onslow County be and they are hereby authorized and empowered to use all moneys now in the hands of the Treasurer of said county levied and collected as a special tax under Chapter 233, Acts of 1885, and amendments thereto, and not needed for the purposes therein set forth, for the purposes of building and repairing the bridges required to be kept up by the county, and for such other purposes as they may deem for the best interest of the county.

SEC. 2. That this Act shall be in force from and after its ratification.

In the General Assembly read three times, and ratified this 14th day of June, 1900.

CHAPTER 17.

An act to regulate the issuing of liquor license in Northampton county.

The General Assembly of North Carolina do enact:

SECTION 1. That after September 1, 1900, the Board of County Commissioners for the county of Northampton shall have no jurisdiction to issue or order to be issued any license to retail any kind of liquors.

SEC. 2. That from and after the 1st day of September, 1900, the Judge holding the Supreme [Superior] Courts for the county of Northampton at a regular term of said court shall have exclusive jurisdiction and power to order a license to be issued to retail liquors in said county.

Commissioners authorized to use special tax fund for county purposes.

Commissioners have no authority to issue liquor license.

Who has authority to issue license.

- SEC. 3. That no such order shall be made unless it appears that notice of the application therefor has been given for thirty days by notices posted at the court-house door in Jackson and four other public places in said county, and published once a week for four weeks in a county paper. This latter notice shall not be required if more than three dollars is charged for publishing it. Thirty days notice to be given.
- SEC. 4. That if a majority of the qualified voters of any township in said county shall sign a petition asking the Judge to issue an order for a license to sell liquors to any person, the same shall be granted unless it appears that the applicant is an unfit person to retail liquors. Notice to be published.
May not be required.
Judge to issue order upon petition.
- SEC. 5. That if a majority of the qualified voters of any township in said county shall sign a petition asking the Judge not to grant an order for license to any applicant to retail liquors, such order shall not be granted. Judge shall not grant order if a majority of voters petition against it.
- SEC. 6. That in all other cases not provided for in Sections 4 and 5, the Judge may exercise a sound legal discretion in granting or refusing such orders, but his judgment must not on the one hand be based upon the idea that a license to retail liquors should not in any case be given, nor on the other hand that a license should in all cases be granted where the applicant is a suitable person. Judge may exercise discretion in other cases.
- SEC. 7. That the unauthorized signing or affixing of another's name to a petition for or against the issuing of an order to retail liquors is hereby made forgery, and shall be punished accordingly. Unauthorized signing of petition made forgery
- SEC. 8. That no license shall be granted to any applicant where it shall appear to the Judge that while acting under a former license to retail liquors, the applicant sold or gave liquor to anyone on Sunday, or to a minor, or to a person already under the influence of liquor. When license shall not be granted.
- SEC. 9. That under this Act the Judge may make an order directing the Sheriff to issue a license to retail liquor within twelve months of the date of such order, and the license shall take effect from the time of its issue and continue as long as the law now or may hereafter direct. The license fee or tax shall be collected as the same is now collected in said county. Judge may direct sheriff to issue license.
How license tax collected.
- SEC. 10. That nothing in this Act shall be construed to authorize the issuing of a license to retail liquors in any territory in said county where the retail sale of liquors is now prohibited by law. No license to be granted in prohibited territory.
- SEC. 11. That this Act shall be in force from and after September 1, A. D., 1900. Takes effect when.
- In the General Assembly read three times, and ratified this 14th day of June, A. D., 1900.

CHAPTER 18.

An act to amend chapter eighteen, section one, of the public laws of eighteen hundred and ninety-nine, relating to the oyster industry of North Carolina.

The General Assembly of North Carolina do enact:

The act amended relates to the oyster industry.

SECTION 1. That Chapter 18, Section 1, of the Public Laws of 1899, ratified the 28th day of February 1899, be and the same is hereby amended as follows, to-wit: In Section 1, line fifteen, strike out all after the word "electricity," down to and including the word "license," in line twenty-eight, and insert in lieu thereof the following: That no boat or vessel not the property of residents of this State on the 12th day of June, 1900, or unless built or owned in this State subsequent thereto, shall receive license or be permitted in any manner to engage in the catching of oysters anywhere in the waters of this State.

What craft may be licensed to engage in catching oysters.

Conflicting laws repealed.

SEC. 2. That all laws and parts of laws in conflict with this Act are hereby repealed.

SEC. 3. That this Act shall take effect from and after its ratification.

In the General Assembly read three times, and ratified this 14th day of June, 1900.

PRIVATE LAWS

OF THE

State of North Carolina.

ADJOURNED SESSION, 1900.

PRIVATE LAWS

OF THE

State of North Carolina.

ADJOURNED SESSION, 1900.

CHAPTER 1.

An act to repeal chapter one hundred and twenty-five of the private laws of eighteen hundred and ninety-five.

The General Assembly of North Carolina do enact:

SECTION 1. That Chapter 125, of the Private Laws of 1895, be and the same is hereby repealed.

Relates to township tax collectors, Nash county.

SEC. 2. That this Act shall be in force from and after the expiration of the terms of office of the present Tax Collector of Nash County.

When in effect.

In the General Assembly read three times, and ratified this 13th day of June, 1900.

CHAPTER 2.

An act to incorporate the Clarence Barker Memorial Hospital and Dispensary.

The General Assembly of North Carolina do enact:

SECTION 1. That the Rector, Wardens and Vestry of All Souls' Church at Biltmore, in the county of Buncombe, and State of North Carolina, ex officio, and one or two physicians to be, from time to time, selected by them as hereinafter provided, be and they are hereby constituted a body politic and corporate, under the name and style of the Clarence Barker Memorial Hospital and Dispensary, and by that name and style they and their suc-

Corporators

Corporate name.

Corporate powers. cessors shall remain and have perpetual succession, with power to contract and be contracted with, to sue and be sued, to plead and be impleaded in any court of law or equity, to receive, take and hold, either by gift, grant, purchase, devise, bequest or otherwise, any real or personal estate not exceeding one hundred thousand dollars (\$100,000) in value, for the general use or the advancement of the purpose of the said corporation, or for any special purpose consistent with this charter, whether such property be purchased, given, devised, bequeathed or conveyed directly to said corporation or to any of its officers for its use, and the same to dispose of, convey and encumber at pleasure; to make by-laws and rules not inconsistent with the laws of this State for its own government, and for the due and orderly conduct of its affairs and the management of its property, and to change the same from time to time; to have and use a common seal, and to change the same at pleasure, and to do and perform all such acts and things as are or may become necessary for the furtherance and advancement of the purposes of said corporation, as fully and completely as a natural person might or could do.

The purpose of the corporation. SEC. 2. The object and purpose of the said corporation shall be the establishment of a hospital and dispensary, to afford medical and surgical aid and care and to supply drugs and medicines to the sick and disabled poor persons in and about the said town of Biltmore.

Shall be managed by a board of control. SEC. 3. The direction and management of the affairs of said corporation and the control and disposition of its property and funds shall be vested in a Board of Control, which shall consist of such persons as shall, from time to time, be the rector, warden and vestry of All Souls' Church in the town of Biltmore, ex officio, and one or two physicians, to be annually selected by them at their first regular meeting as a vestry, to be held within one month after Easter Monday, and the members of such Board of Control shall continue in office until their successors are elected.

Officers. SEC. 4. The officers of the said corporation shall be a President, Secretary, Treasurer, Medical Director, Resident Physician, Superintendent of the Hospital, Patronesses and such other officers, agents and committees as may be deemed by said Board necessary to efficiently carry out the object of said corporation.

Duties of officers. The duties of each of these officers, agents and committees and (except in the case of the President, Treasurer and physician or physicians on the Board of Control), the method of their election may be prescribed in the by-laws and rules of the cor-

How elected.

poration. The Rector of said church shall always, ex officio, be the President of said corporation and the presiding officer of the Board of Control, and the Treasurer of said church shall, ex officio, be the Treasurer of said corporation. During any vacancy in the office of Rector of said church the Senior Warden thereof, or, if there be none, the Junior Warden shall, ex officio, be the President of said corporation. The by-laws may make provision for the filling of any vacancy in any office of the corporation arising from any cause, and during the absence from the State, or inability, from any cause, of any person holding any office to perform the duties thereof, temporarily to fill the same.

Church officers to be ex officio officers of the corporation.

How vacancies shall be filled.

SEC. 5. The property, real and personal, of said corporation, or occupied or used by it, shall be exempt from taxation and assessment, and shall be entitled to the benefit of the provisions of law relative to charitable institutions: *Provided*, that such real and personal estate shall not exceed one hundred thousand dollars.

Property exempt from taxation.

SEC. 6. This Act shall be in force from and after its ratification.

In the General Assembly read three times, and ratified this 13th day of June, 1900.

RESOLUTIONS
OF THE
GENERAL ASSEMBLY

ADJOURNED SESSION, 1900

RESOLUTIONS

OF THE

General Assembly

ADJOURNED SESSION, 1900.

A resolution to furnish certain supreme court reports to State University.

WHEREAS, certain Supreme Court Reports furnished to the Law Library of the State University at Chapel Hill, are so badly worn as to be of no use, therefore be it

Resolved, by the House of Representatives, the Senate concurring, that the Secretary of State is hereby instructed, on the requisition of the Dean of the Law School of the University, to furnish to said Institution, from the Reports which he now has on hand, or may obtain, such Reports of the Supreme Court of the State as may be necessary to be supplied.

In the General Assembly read three times, and ratified this 13th day of June, A. D., 1900.

Preamble.
The Secretary of State instructed to furnish certain reports to University Law Library.

Resolution to print and distribute copies of the election law and constitutional amendment.

Resolved, by the House of Representatives, the Senate concurring, that the Commissioner of Labor and Printing be instructed to print and distribute immediately thirty thousand (30,000) copies of the Election Law, and two hundred thousand (200,000) copies of the Constitutional Amendment passed at this session.

In the General Assembly read three times, and ratified this 13th day of June, 1900.

Commissioner of Labor and Printing instructed to print and distribute Election Law and Constitutional Amendment.

A resolution to pay expenses of funeral of Senator Jackson.

Treasurer authorized to pay.

Resolved, by the Senate, the House of Representatives concurring, that the Treasurer of the State is hereby instructed to furnish the Sergeant-at-Arms a sufficient sum of money to defray the expenses incident to the funeral of Senator J. Q. Jackson.

In the General Assembly read three times, and ratified this 14th day of June, A. D., 1900.

A resolution to appoint committee to accompany remains of Senator Jackson.

Joint committee appointed by presiding officer.

Resolved, by the Senate, the House of Representatives concurring, that the President of the Senate appoint two members of the Senate and the Speaker of the House of Representatives four members of the House of Representatives as a committee to accompany the remains of the late Senator J. Q. Jackson to the place of burial, and that the Sergeant-at-Arms of the Senate take charge thereof.

In the General Assembly read three times, and ratified this 14th day of June, A. D., 1900.

A resolution appointing a committee to obtain certain information from the state treasurer.

As to money paid to Theo. White.

Resolved, by the House of Representatives, the Senate concurring, that a committee of two members of this House be appointed by the Speaker, who shall wait upon the State Treasurer, and ascertain from him if he has paid out any money to Theophilus White, and if so, by what authority he has made such payment.

In the General Assembly read three times, and ratified this 14th day of June, A. D., 1900.

A resolution directing printing of report of special investigating committee relative to state's prison and agricultural department.

Resolved, by the House of Representatives, the Senate concurring, that the report of the special committee relating to the Penitentiary and Agricultural Department, and this day made, and the evidence therewith sent, be printed under the direction and supervision of the Commissioner of Labor and Printing, and that five thousand copies be printed and distributed by said Commissioner.

Report to be printed under supervision of Commissioner of Labor and Printing.

5,000 copies to be distributed.

In the General Assembly read three times, and ratified this 14th day of June, A. D., 1900.

A joint resolution in regard to paying clerks and other employees mileage for their attendance upon the present sitting of the general assembly.

Resolved, by the Senate, the House of Representatives concurring, that such clerks and employees of the General Assembly as would be entitled to mileage as upon attendance at the first sitting of the General Assembly, be and they are allowed mileage for their attendance upon the present sitting of the General Assembly, and the State Auditor is directed, upon the certificates of the respective Chief Clerks of the Senate and House of Representatives, to issue his warrants for such mileage upon the State Treasurer, and the State Treasurer is directed to pay said warrants out of the public funds of the State.

Clerks and employees to have mileage.

Auditor to issue warrants.

Treasurer to pay.

In the General Assembly read three times, and ratified this 14th day of June, 1900.

Joint resolution regarding the election of a director for the North Carolina School for the Deaf and Dumb, at Morganton, North Carolina, and other school directors.

Resolved, by the House of Representatives, the Senate concurring, that the General Assembly of North Carolina meet on Thursday morning, June 14, at eleven o'clock in joint session, for the purpose of electing a Director for the North Carolina School for the Deaf and Dumb, of Morganton, N. C., to fill the unexpired term.

Joint session.

Times fixed.

pired term of the late R. O. Grier, of Mecklenburg County, N. C., and also that at eleven o'clock on June 14, 1900, the General Assembly proceed to the election of school directors.

In the General Assembly read three times, and ratified this 14th day of June, A. D., 1900.

A resolution to pay pages.

Resolved, by the House of Representatives, the Senate concurring, that the Auditor issue his warrant and the Treasurer pay to the Pages who have attended upon the present session of the General Assembly their actual traveling expenses.

In the General Assembly read three times, and ratified this 14th day of June, 1900.

A joint resolution to adjourn.

Resolved, by the House of Representatives, the Senate concurring, that the General Assembly adjourn on Thursday, June 14, 1900, at ten o'clock p. m., to meet again in the city of Raleigh, on Tuesday the 24th day of July, 1900, at twelve o'clock m. That the Secretary of State deliver to the Public Printer immediately upon this adjournment the Journals of the House and Senate and all resolutions, private and public laws passed at this session, and that the same be published and distributed as upon an adjournment *sine die*.

In the General Assembly read three times, and ratified this 14th day of June, A. D., 1900.

Pages to have traveling expenses.

Adjournment until July 24, 1900.

Secretary of State to deliver to public printer Journals and Laws.

Published and distributed as upon adjournment *sine die*.

Resolution in regard to the adjournment of the General Assembly.

Resolved, by the Senate the House of Representatives concurring, that the General Assembly do now adjourn, this the 24th day of July, 1900, to meet again in the city of Raleigh on Monday, the 30th day of July, 1900, at 12 o'clock, m. Adjournd to 30th
July, 1900.

In the General Assembly read three times, and ratified this the 24th day of July, 1900.

Joint resolution in regard to adjournment.

Resolved, by the House of Representatives, the Senate concurring, that this General Assembly adjourn till Tuesday, July 31, at 4 o'clock, p. m., 1900. Adjournd to 31st
July, 1900.

Ratified this the 30th day of July, A. D., 1900.

STATE OF NORTH CAROLINA,
OFFICE OF SECRETARY OF STATE.

Certificate of Sec-
retary of State.

RALEIGH, August 1.

I, Cyrus Thompson, Secretary of State, do hereby certify that the foregoing (manuscript) are true copies of the original acts and resolutions on file in this office.

CYRUS THOMPSON,
Secretary of State.

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TO THE

Laws and Resolutions

ADJOURNED SESSION, 1900

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